

10:00 a.m.

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Federal Railroad Administration (Northeast Corridor)

1224 Dirksen Building

Banking, Housing, and Urban Affairs

To resume oversight hearings on U.S. monetary policy.

5302 Dirksen Building

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 11

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.

235 Russell Building

10:00 a.m.

Rules and Administration

To markup S. 1072, to establish a universal voter registration program, S. 926, to provide for the public financing of primary and general elections for the U.S. Senate, and the following bills and messages to amend the Federal Election Campaign Act, S. 15, 105, 962 and 966, President's message dated March 22 and recommendations from the FEC submitted March 31.

301 Russell Building

MAY 12

10:00 a.m.

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To continue hearings to review the processes by which accounting and audit-

ing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 18

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.

1224 Dirksen Building

2:00 p.m.

Appropriations

Transportation Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.

1224 Dirksen Building

MAY 24

10:00 a.m.

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 26

10:00 a.m.

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To continue hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

JUNE 13

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold oversight hearings on the cable TV system.

235 Russell Building

JUNE 14

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To continue oversight hearings on the cable TV system.

235 Russell Building

JUNE 15

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To continue oversight hearings on the cable TV system.

235 Russell Building

CANCELLATIONS

APRIL 18

8:00 a.m.

Energy and Natural Resources

Public Lands and Resources Subcommittee

To mark up S. 7, to establish in the Department of the Interior an Office of Surface Mining Reclamation and Enforcement to administer programs to control surface coal mining operations.

3110 Dirksen Building

MAY 3

9:00 a.m.

Veterans' Affairs

Subcommittee on Housing, Insurance, and Cemeteries

To hold hearings on S. 718, to provide veterans with certain cost information on conversion of government supervised insurance to individual life insurance policies.

Until 12 noon 6202 Dirksen Building

MAY 5

9:00 a.m.

Veterans' Affairs

Subcommittee on Housing, Insurance, and Cemeteries

To continue hearings on S. 718, to provide veterans with certain cost information on conversion of government supervised insurance to individual life insurance policies.

Until 12 noon 6202 Dirksen Building

HOUSE OF REPRESENTATIVES—Monday, April 18, 1977

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WRIGHT) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
April 18, 1977.

I hereby designate the Honorable JIM WRIGHT to act as Speaker pro tempore for today.

THOMAS P. O'NEILL,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Edward G. Latch, D.D., offered the following prayer:

The reverence of the Lord is the beginning of wisdom and they who live by it grow in understanding.—Psalms 111: 10.

Eternal Father of our spirits, in this sacred moment of quiet prayer we turn our thoughts to Thee and open our hearts to Thy Spirit that we may be wise in the decisions we make, understanding in our relations with each other, and

faithful in our devotion to Thee and to our country. All through this day may we be mindful of Thy presence.

Bless the citizens of our land with Thy continual favor. May they be great enough in spirit, good enough in heart, and genuine enough in purpose to be a channel for peace, for justice, and for good will in our world and among people everywhere.

Lead us in Thy way this day for Thy name's sake. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and, without objection, announces to the House his approval thereof.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 662. An act to provide for holding terms of the district court of the United States for

the eastern division of the Northern District of Mississippi in Corinth, Miss.

The message also announced that the Vice President, pursuant to Public Law 83-420, appointed Mr. SASSER to be a member, on the part of the Senate, of the Board of Directors of the Gallaudet College.

And that the Vice President, pursuant to section 194(a) of title 14, United States Code, appointed Mr. PELL as a member, on the part of the Senate, of the Board of Visitors to the U.S. Coast Guard Academy.

The chairman of the Committee on Commerce, Science, and Transportation (Mr. MAGNUSON), under the above cited law, appointed Mr. HOLLINGS and Mr. STEVENS as members of the same Board of Visitors.

And that the Vice President, pursuant to section 1126(c) of title 46, United States Code, appointed Mr. MOYNIHAN as a member, on the part of the Senate, of the Board of Visitors to the U.S. Merchant Marine Academy.

The chairman of the Committee on Commerce, Science, and Transportation (Mr. MAGNUSON), under the above cited law, appointed Mr. HOLLINGS and Mr. STEVENS as members of the same Board of Visitors.

THE CASE OF PAUL COOPER ENGENDERS DISBELIEF

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. Mr. Speaker, I have been following the developments of the case of Paul Cooper with disbelief.

Mr. Cooper, you may recall from news accounts, is the retired Army enlisted man who is dying of leukemia at the age of 43, some 20 years after being ordered to stand unprotected 3,000 yards from a nuclear test blast in the Nevada desert.

Mr. Cooper is seeking approval from the Veterans' Administration for a service-connected disability rating, contending that the disease is a direct result of his duty at the test blast. He particularly is concerned about the future welfare of his wife and three children he will leave behind when he dies.

The Veterans' Administration Appeals Board has ruled that the disease was contracted during his military service but has refused to determine that the exposure to the nuclear fallout was responsible.

Mr. Speaker, the generals who decided that over 1,000 young Army enlisted men ought to stand and watch an atomic blast less than 2 miles from ground zero are the contemporaries of those generals who decided they ought to use American citizens as bait in simulated chemical warfare games that we read about earlier this year.

The concept that we would stake out human beings close to atomic test sites just to see how they are affected is beyond concept to me. Mr. Cooper, it should be remembered, was ordered to stand there. It was his Government that placed him there.

Well, he is dying now, and while I am no doctor, it certainly seems logical to me that the heavy dosage of radiation suffered by Mr. Cooper at the test site could have played some role in bringing him to his present plight. If any man ought to qualify for a VA disability pension, it would appear to be him.

The VA obviously fears that if Mr. Cooper is successful, another 1,100 applications may be forthcoming. Well they might. But it is this Nation's policy to look after the families of servicemen killed in the line of duty.

According to the news reports I have read, Mr. Cooper is well aware that his days are limited, and wants to protect his family as best he can before he dies. He seems convinced that his disease is a direct result of his military service. Unless that contention can be outrightly disproven, I believe that the VA ought to give this ex-soldier the benefit of the doubt and provide him the benefits he seeks.

I have today so advised the Veterans' Administration of my views. I would hope other Members of the House would investigate this case for themselves. I believe you will come to the same conclusion as I have made.

UNITED NATIONS AMBASSADOR YOUNG SHOULD RESIGN

(Mr. MARTIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MARTIN. Mr. Speaker, our new United Nations Ambassador Andrew Young is living proof that diplomacy is a delicate art.

In just 2 months Ambassador Young has—

First. Terrified our allies;

Second. Insulted the British and had to apologize;

Third. Insulted the Arabs and had to apologize;

Fourth. Made life miserable for the majority of black Angolans who wanted to be our allies;

Fifth. Misunderstood the rebellion in Zaire;

Sixth. Incited revolution in South Africa and Rhodesia;

Seventh. Accused the minority white government in South Africa of being "illegitimate" while endorsing the Cuban-dominated minority black government in Angola;

Eighth. Cubans are the only ones he has praised, as a "stabilizing factor" in Angola. They stabilize you up side the head;

Ninth. He has claimed he was expressing the inside view of the State Department which they have been forced repeatedly to deny; and

Tenth. The worst yet is his terrible slur on the integrity, honor, and loyalty of hundreds of thousands of our black servicemen, suggesting they would not do their duty. Perhaps he is advising them, but I think he should cease. In Vietnam, for example, they did not like fighting there either, but their record is as good as anybody's.

I think he should resign; and go look for another line of work.

I hesitate to say that. Andy Young is well liked. When he was in Congress, he was highly regarded by all.

He was regarded as temperate, moderate, and rational. When he spoke, we listened; now we cringe.

When he was nominated for U.N. Ambassador, I thought and said it is another supermove by President Carter. I had high hopes he would make us proud. I was confident he would represent us well: all of us.

I was wrong. It is time to admit it.

Enough is enough.

Certainly, even an Ambassador is entitled to his own views and thoughts; but he is expected to advance our Nation's foreign policy. He has not done it.

Yes, I am glad he is opposed to the racial policies of South Africa. So am I opposed. Our policy there is to help bring about a peaceful and orderly transition.

What he is doing is like waving lighted sparklers around in a gasoline depot.

I even considered calling on President Carter to fire him; and soon recognized that he cannot do that. Jimmy Carter would not be President but for Andy Young.

To so many Americans, Ambassador Young is a great symbol of hope. Yet, surely President Carter understands how to handle symbols.

He could promote him out of that job, which he never really wanted. He could reassign him: make him a junior vice president, or give him an honorary degree or something quick, before he says something even he will regret, and get somebody hurt.

Ambassador Young says that President Carter has not asked him to restrain his statements. Well, it is time he did. If he will not, we should.

Young says Carter wants everybody to speak out freely on foreign policy ideas. OK; I just did.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,

April 7, 1977.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the permission granted on April 6, 1977, the Clerk has received this date the following message from the Secretary of the Senate:

That the Senate passed H. Con. Res. 191, directing the Clerk of the House to make corrections in enrollment of H.R. 3365.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, Jr.,

Clerk, House of Representatives.

By W. RAYMOND COLLEY,

Deputy Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to the authority granted the Speaker on Wednesday, April 6, 1977, the Speaker did on Thursday, April 7, 1977, sign the following enrolled bills:

H.R. 3365. An act to extend the authority for the flexible regulation of interest rates on deposits and accounts in depository institutions; and

H.R. 5717. An act to provide for relief and rehabilitation assistance to the victims of the recent earthquakes in Romania.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,

April 15, 1977.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 1:45 p.m. on Friday, April 15, 1977, and said to contain a message from the President wherein he transmits the second in a series of reports that he will be submitting on the progress toward a solution of

the Cyprus dispute pursuant to Public Law 94-104.

With kind regards, I am,

Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.
W. RAYMOND COLLEY,
Deputy Clerk.

SECOND REPORT ON PROGRESS TOWARD SOLUTION OF CYPRUS DISPUTE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 95-121)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

As required by Public Law 94-104, this report describes progress which has been achieved during the last sixty days toward settlement of the Cyprus problem and the efforts the Administration has made to contribute to its resolution.

In my first report, dated February 11, I emphasized the high priority we place on this effort and reaffirmed our intention to work closely with the Congress in deciding on our future course. I promised that my Special Representative, Mr. Clark Clifford, would consult with you both before and after his trip to the area. He has done so. Before his departure, Mr. Clifford discussed the Cyprus question, and other pertinent matters, with a number of interested Senators and Congressmen. Leaving Washington February 15, he spent some two weeks visiting the eastern Mediterranean area to confer with leaders in Ankara, Athens and Nicosia. He also met with United Nations Secretary General Kurt Waldheim, under whose leadership the Cyprus intercommunal negotiations were subsequently reconvened. Returning from this series of intensive conversations, Mr. Clifford stopped in London to share his impressions with leaders of the British Government which, as current incumbent of the European Community Presidency as well as former administrator of Cyprus, maintains a special interest in finding a just and speedy Cyprus solution.

Upon his return, Mr. Clifford reported to me that the leaders of Greece, Turkey and Cyprus correctly saw his mission as a signal of the deep interest this Administration takes in the problems of the eastern Mediterranean. He came away convinced of their clear understanding that the United States is firmly committed to the search for a fair and lasting Cyprus settlement as well as to the improvement of relations with our two important and valued NATO allies, Greece and Turkey, and to the creation of a more stable atmosphere in the eastern Mediterranean.

The tasks I gave Mr. Clifford were to make a first-hand assessment of current problems and attitudes in the three countries so that we might better judge

what contribution the United States might make toward encouraging progress in the long-festering Cyprus dispute; to identify ways in which the United States could improve its bilateral relationships with Greece and Turkey; and to gain a better insight into the sources of the tensions that exist between these two NATO allies.

In his visits to Ankara and Athens, Mr. Clifford held detailed discussions on a range of bilateral issues, as well as the subject of Cyprus. These talks were useful in creating a better understanding of the problems which have complicated our relations with Greece and Turkey. I was pleased to hear from Mr. Clifford that the leaders in Ankara and Athens support a serious attempt to negotiate a fair settlement of the Cyprus problem in 1977.

On Cyprus, Mr. Clifford had lengthy meetings with Archbishop Makarios and with the Turkish Cypriot leader, Mr. Rauf Denktaş. These talks were frank and forthright. Both leaders recognized that what would be needed to move the Vienna talks forward were specific discussions of the two central issues of the Cyprus problem: future territorial arrangements and the division of responsibility between the central and regional governments. Mr. Clifford found a new willingness to face the difficult decisions which both sides must now make if a settlement is to be reached.

One indication of that willingness is the negotiations between the Turkish and Greek Cypriot representatives which took place in Vienna from March 31 through April 7. These meetings—the first such intercommunal negotiations in more than a year—were chaired for the first several days by U.S. Secretary General Waldheim and following his scheduled departure on April 4, the concluding sessions were held under the chairmanship of the Secretary General's Special Representative for Cyprus, Ambassador Perez de Cuellar.

We had not expected any dramatic breakthroughs at these meetings; and none occurred. The two sides are still far apart in their views. But the meetings did move forward the process of probing and clarification of each side's position by the other. Most important, in my view, is the fact that for the first time since 1974 concrete, detailed proposals were put forward by each side covering the two central issues. And finally the momentum achieved in these meetings has been preserved by the agreement of both sides to meet again in Nicosia about the middle of May to prepare for another round in Vienna and thus continue the process toward a peaceful Cyprus solution.

In my first report I promised that the United States will do all that it can to help achieve a negotiated settlement for Cyprus. I believe that the United States should continue to take a part in supporting the negotiating process revitalized by Secretary General Waldheim last month in Vienna. I believe that it is essential that we continue to work with the parties to encourage and insure a sustained and serious negotiating process and equally important that we work with our

Greek and Turkish allies to strengthen the ties of friendship and cooperation between our countries. Working in close liaison with the Congress, we will devote whatever efforts may be required to bring about a truly just and lasting peace in the eastern Mediterranean.

JIMMY CARTER.

THE WHITE HOUSE, April 15, 1977.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON D.C.,
April 12, 1977.

HON. THOMAS P. O'NEILL, Jr.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:28 P.M. on Tuesday, April 12, 1977, and said to contain the 1976 annual report on the administration of the Radiation Control for Health and Safety Act.

With kind regards, I am,
Sincerely,

EDMUND L. HENSHAW, Jr.,
Clerk, House of Representatives.
By W. RAYMOND COLLEY,
Deputy Clerk.

THE 1976 ANNUAL REPORT ON THE ADMINISTRATION OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith the 1976 annual report on the administration of the Radiation Control for Health and Safety Act (Public Law 90-602), as prepared by the Department of Health, Education, and Welfare for a period of time prior to the commencement of my term.

The report's only legislative recommendation is that the requirement for the report itself, as contained in P.L. 90-602, be repealed. All of the information found in the report is available to Congress on an immediate basis through congressional committee oversight and budget hearings. The Department of Health, Education, and Welfare has concluded that this annual report serves little useful purpose and diverts agency resources from more productive activities.

JIMMY CARTER.

THE WHITE HOUSE, April 12, 1977.

COMMUNICATIONS FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., April 7, 1977.

HON. THOMAS P. O'NEILL, JR.,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 1:50 p.m. on Thursday, April 7, 1977, and said to contain a message from the President wherein he transmits the third annual report of the Federal Council on the Aging.

With kind regards, I am

Sincerely,

EDMUND L. HENSHAW, JR.,
Clerk, House of Representatives.
By W. RAYMOND COLLEY,
Deputy Clerk.

ANNUAL REPORT OF THE FEDERAL COUNCIL ON AGING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

To the Congress of the United States:

I am transmitting herewith the annual report of the Federal Council on Aging in accordance with Section 205(f) of the Older Americans Act (P.L. 93-29).

This report was prepared based upon activities of the Federal Council on Aging prior to my term of office.

JIMMY CARTER.

THE WHITE HOUSE, April 7, 1977.

AMERICAN LEGION NATIONAL COMMANDER ROGERS EXPRESSES VETERANS' VIEWS TO PRESIDENT CARTER

(Mr. ROBERTS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, I wish to call the attention of my colleagues to a letter to President Carter from National Commander William J. Rogers of the American Legion. In my judgment, this letter expresses the views of the overwhelming majority of veterans in this country.

I commend the letter to the attention of all Members of the House, regarding a subject of intense interest to all Americans:

THE AMERICAN LEGION,
Washington, D.C., March 30, 1977.

The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: There has been brought to my attention, a document issued by the Secretary of Health, Education and Welfare, the Honorable Joseph A. Califano, Jr., as a statement of issues for public hearing, on the subject of welfare reform.

In the statement, Secretary Califano indicates that he has been directed by you to undertake a comprehensive study of welfare reform.

In his statement of the issues, the Secretary proceeds to define the "welfare system" as an income maintenance system, including among other things social insurance, in the identification of which he specifically in-

cludes veterans compensation; and income assistance, among the elements of which he includes veterans pensions.

I must tell you Mr. President, that The American Legion emphatically objects to the placement of these two veterans programs under the umbrella of the "welfare system." Neither of these two programs were envisioned by Congress as welfare programs when they were established.

Veterans compensation is designed to replace, at least partially, the lost earning capacity of veterans who were disabled during, or as a result of service in the Armed Forces. I am sure the many thousands of combat disabled veterans who are among all those receiving compensation, would not react favorably to being told they are the recipients of welfare.

The veterans death and disability pension program was established by Congress to provide an income supplement to veterans and their survivors, who are totally disabled by reason of age or physical condition. This program, as differentiated from welfare, is a benefit provided by a grateful American people, through their elected representatives, for those who responded to the call to arms during a time of war or national emergency. The concept of veterans pensions is a time-honored institution in the history of nations.

You will, I am sure, understand our alarm, when we tell you that we see this effort by the Secretary of Health, Education and Welfare to include the veterans compensation and pension programs in the "welfare system," as an initial move to secure the transfer of veterans benefits programs to the jurisdiction of his agency. Such an effort, if it develops, will be resisted by The American Legion, with all of its energies.

To maintain the confidence of American veterans in the continued independent administration of the benefit programs that have been established for them, we would appreciate having from you, Mr. President, a clear statement of your intention that veterans programs will not be considered by your Administration to be welfare programs, and that they will continue to be administered by the Veterans Administration. We sincerely believe it to be a matter of importance to your Administration, and to the security of the nation's veterans that you should set the record straight in this matter.

With our respectful and sincere wishes for your continued success, I am

Yours sincerely,

WILLIAM J. ROGERS,
National Commander.

FBI DIRECTOR KELLEY DISREGARDS SERIOUS VIOLATION OF FOURTH AMENDMENT TO CONSTITUTION

(Mr. WEISS asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. WEISS. Mr. Speaker, I am greatly distressed by the views expressed by FBI Director Clarence Kelley concerning the indictment of former New York City supervisor of the bureau, John Kearney, for authorizing illegal break-ins and mail surveillance.

It seems to me that Mr. Kelley has totally disregarded the very serious violation of the fourth amendment to the Constitution of the United States and the very bitter lessons of Watergate.

I have sent him the following letter which I commend to my colleagues for their attention.

The letter follows:

HOUSE OF REPRESENTATIVES,
New York, N.Y., April 16, 1977.

MR. CLARENCE KELLEY,
Director, Federal Bureau of Investigation,
Washington, D.C.

DEAR DIRECTOR KELLEY: Your reaction to the criminal indictment of former FBI agent John Kearney was most distressing and indicates, in my view, a serious abdication of your responsibilities as a public official sworn to uphold the rule of law.

Your statement, coupled with the demonstration yesterday by FBI personnel on the steps of the Federal courthouse in Manhattan, will serve to intensify public mistrust in our government's respect for its own statutes. You have explicitly stated that you will seek to use your influence with Attorney General Bell to have the FBI exonerated for past unlawful behavior in the same way that the CIA was similarly exempted from obedience to our laws.

Have you so quickly and so casually forgotten the lessons of Watergate?

Former agent Kearney may or may not be guilty of the felony charges lodged against him. That is a matter for a jury to decide, and he is most assuredly entitled to a presumption of innocence until a court of law finds otherwise. I bear no personal animosity towards Mr. Kearney or any other bureau employee. Rather, I am committed to the principle that ours is a government ruled by law, not by individuals.

You seem to imply that the merits of this case are not of primary concern. What is most important, you contend, is "morale of the FBI" and the assertion that Mr. Kearney was "motivated by the best of intentions."

I agree that the FBI should function with a high degree of commitment to its duties, and it may well be true that Mr. Kearney acted out of a belief that he was fulfilling some vital national purpose.

Would FBI morale not, however, be served better by its director's stated intention of having bureau agents abide by the same laws they seek to enforce? Your reaction to Mr. Kearney's indictment is sadly and emphatically lacking in any such realization of the equal applicability of our legal system.

And do you really maintain that motivation excuses an individual from facing the consequences of his or her actions? This is a most curious interpretation of legal liability by a chief domestic law enforcement officer of our nation.

Your statement is also glaringly remiss in not noting that the crimes with which Mr. Kearney is charged were explicitly prohibited by your predecessor, J. Edgar Hoover in 1966 and were again forbidden by the United States Supreme Court in 1972.

Nowhere in your statement is there any reference to FBI agents' duty to zealously respect the constitutional rights of Americans. Nowhere do you express a commitment to ensuring that the bureau does not again embark on an "era" of lawlessness. Nowhere do you as the Director of the FBI avow your determination to secure justice, fully and impartially, in this most serious case.

I strongly urge you not, as you have stated, "to use every means at my command to assure that his (Mr. Kearney's) current predicament is resolved as soon as possible." Mr. Kearney's fate is rightly in the hands of a jury of his peers. Any interference by you in the proper functioning of the trial process can only further undermine Americans' respect for the FBI and its top officer.

I also urge you not to act to prevent or impede the continuing investigation by the Justice Department of FBI actions during the period now under review. The bureau will be able to function as intended and agent morale and the morale of the American people will be satisfactorily high only if its overseers exercise without interference their ob-

ligation to insure FBI compliance with the law.

As a member of the subcommittee on government information and individual rights of the Government Operations Committee I intend to question continually any apparent disregard for constitutional guarantees and civil liberties whether by the FBI or any other federal agency. It is my firm belief that it is in the best interests of this nation that the trial of Mr. Kearney proceed expeditiously and fairly and the Justice Department continue to fulfill its responsibilities by providing oversight and review of bureau policies and actions.

I trust that you will reconsider your position and will immediately rectify the impression that you are more interested in protecting the FBI than in safeguarding our constitutional form of government.

Sincerely,

TED WEISS,
Member of Congress.

REFORM OF UTILITY RATE STRUCTURES AND REGULATORY RULES

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker—

We will support the reform of utility rate structures and regulatory rules to encourage conservation and ease the utility rate burden on residential users, farmers, and other consumers who can least afford it.

This, Mr. Speaker, was the solemn pledge we Democrats made to the people when we adopted the Democratic platform at the national convention in July of last year.

This same pledge was repeated as a personal pledge by Jimmy Carter, as the Democratic nominee, in his first debate with President Ford on domestic issues.

If in any proposal to reform utility rates, we fail to carry out our pledge to ease the "rate burden on residential users, farmers, and other consumers who can least afford it" the people will feel betrayed, and it will be with greatest difficulty that we muster sufficient support in the Congress to pass any meaningful "reform of utility rate structures and regulatory rules to encourage conservation" which is so badly needed. H.R. 6009, which I, along with 24 other distinguished Members of this body introduced on April 5, to be entitled, "Life-line and Electric Rate Reform Act of 1977," and H.R. 3317, to be known as "Natural Gas Reform Act of 1977," were introduced to carry out this solemn pledge we made to the people in the general election, last year.

I most earnestly solicit the help and active support of both the President and every Member of the 95th Congress in attaining these goals.

PROVIDING FOR A JOINT SESSION OF TWO HOUSES AT 9 O'CLOCK P.M. ON WEDNESDAY, APRIL 20, 1977, TO RECEIVE A MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. ALEXANDER. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 196) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 196

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, April 20, 1977, at 9 o'clock postmeridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITION TO LEGISLATIVE PROGRAM

Mr. ALEXANDER. Mr. Speaker, in addition to the program that was announced on Wednesday, April 6, 1977, I would like to advise the membership that on Tuesday there will be one additional suspension added to the program, to wit, S. 489, a bill to authorize supplemental military assistance to Portugal for fiscal year 1977.

AUTHORIZING SPEAKER TO DECLARE RECESSES ON APRIL 20, 1977

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that on Wednesday, April 20, 1977, it may be in order for the Speaker to declare recesses at any time, subject to the call of the Chair.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, may we know what the purposes of that authority is?

Mr. ALEXANDER. Mr. Speaker, if the gentleman will yield, the purpose of that authority is to convene the House in order to take care of the business of the day and to recess thereafter in order to prepare for the message by the President of the United States.

Mr. BAUMAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

BUSINESS USE OF RESIDENCE FOR DAY CARE SERVICES

Mr. ULLMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3340) to amend the Internal Revenue Code of 1954 to allow a deduction for expenses allocable to the use of any portion of a dwelling unit in the trade or business of providing day care services whether or not such portion is exclusively used in such trade or business, as amended.

The Clerk read as follows:

H.R. 3340

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of section 280A of the Internal Revenue Code of 1954 (relating to exceptions for certain business or rental use; limitation on deductions for such use) is amended by redesignating paragraph (4) as

paragraph (5) and by inserting after paragraph (3) the following new paragraph:

"(4) USE IN PROVIDING DAY CARE SERVICES.—
"(A) IN GENERAL.—Subsection (a) shall not apply to any item to the extent that such item is allocable to the use of any portion of the dwelling unit on a regular basis in the taxpayer's trade or business of providing day care services to individuals.

"(B) LICENSING, ETC., REQUIREMENT.—Subparagraph (A) shall apply to items accruing for a period only if the owner or operator of the trade or business referred to in subparagraph (A)—

"(i) has applied for (and such application has not been rejected),

"(ii) has been granted (and such granting has not been revoked), or

"(iii) is exempt from having,

a license, certification, registration, or approval as a day care center or as a family or group day care home under the provisions of any applicable State law. This subparagraph shall apply only to items accruing in periods beginning on or after the first day of the first month which begins more than 90 days after the date of the enactment of this subparagraph."

(b) Paragraph (5) of section 280A(c) of such Code (as redesignated by subsection (a)) is amended by striking out "paragraph (1) or (2)" and inserting in lieu thereof "paragraph (1), (2), or (4)".

(c) The amendments made by this section shall apply to taxable years beginning after December 31, 1975.

The SPEAKER pro tempore. Is a second demanded?

Mr. FRENZEL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Oregon (Mr. ULLMAN) is recognized for 20 minutes, and the gentleman from Minnesota (Mr. FRENZEL) is recognized for 20 minutes.

Mr. ULLMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3340 deals with the income tax treatment of business expenses attributable to the use of a personal residence to provide day care services to children, handicapped individuals, and the elderly.

The Tax Reform Act of 1976 added a provision to the tax laws under which deductions attributable to the business use of a personal residence are not allowable unless the business use satisfies certain requirements.

One of the principal requirements is that the portion of the residence used for business purposes must be used exclusively and on a regular basis for business purposes.

The exclusive business use test will rarely be satisfied in the case of the use of a portion of a personal residence to provide day care services.

However, where a portion of a personal residence is used for personal purposes and to provide day care services, the furnishing of day care services will ordinarily result in incremental expenses being incurred beyond those which would have been incurred if the residence had only been used for personal purposes.

The bill would provide an exception from the exclusive use test for expenses attributable to the use of a portion of a

personal residence used to provide day care services.

However, the deductible business expenses are to be limited by the amount of the gross income derived from day care services.

In this way, the business use of the personal residence will not result in generating a loss which could be used to shelter other income from income tax.

In addition, the expenses attributable to the residence which are allocable to the business use would be deductible only if the day care services satisfy any applicable licensing, registration, or approval, required under State law.

This requirement would apply only after the expiration of a transitional period to afford the day care operators a reasonable period to satisfy this requirement.

The amendment would apply to taxable years beginning after December 31, 1975.

Mr. Speaker, I urge that the House adopt this bill.

Mr. FRENZEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I favor the prompt passage of H.R. 3340, as amended, to enable family day care providers to continue to deduct the legitimate expenses incurred from using their homes for business purposes.

The 1976 Tax Reform Act overlooked the special needs of day care providers when it required that the taxpayer must use a portion of the home exclusively for business purposes to qualify for a business tax deduction. Family day care providers cannot possibly meet this exclusive use requirement. It is neither desirable, nor possible, to confine small children all day to a single room or a limited portion of the home. Many licensing requirements preclude such a practice in any event. Yet having small children in a house or apartment takes an expensive toll in terms of higher maintenance and utility costs.

If the Tax Reform Act is not amended, we will be losing many day care providers. We know that some providers have already closed their doors. If adequate day care services are not readily available, or, if the cost increases, the working public will suffer. Dependable, safe and reasonably priced day care is an essential need in our society today. These services help American families achieve their aspirations with minimum family disruption and directly reduce welfare burdens on the taxpayers.

H.R. 3340 makes an exception to the "exclusive use" test for taxpayers who are in the trade or business of providing day care in their homes. Day care providers will continue to be allowed deductions for such expenses as repairs, maintenance, heat, electricity and other utilities, rent or depreciation and insurance. These deductions, like others for business use of homes, will be limited to the amount of gross income derived from the business. In addition, there will be an allocation of expenses based on the portion of the residence which is actually used for day care and the amount of time that day care is being provided. This allocation is then com-

pared with the time the residence is actually used.

I am pleased that the committee accepted my amendment, which can be found on pages 1 and 2 of the committee report. It will limit this deduction to only those day care providers who observe applicable State licensing, certification, registration or approval requirements. The committee did not think that anyone should get a tax break who is operating a day care service contrary to State laws established to protect the health and safety of children.

Because State standard and enforcement procedures vary widely, however, the bill allows the deduction to anyone who has applied for a license and has not been rejected, who has been granted a license which has not been revoked, or who is exempt from State licensing requirements. A 90-day grace period after enactment is provided to give these providers a chance to apply for licensing.

Therefore, the bill will allow all day care providers to be eligible for a deduction for taxable year 1976. Beginning in 1977, the deduction applies only to day care providers who have applied for or who are exempt from, or who have been granted a license or approval by the State. By retaining this provision, the committee upheld the original intention of the Tax Reform Act to close possible tax loopholes.

By tying the tax exemption to State law, the Federal Government would provide an added incentive for day care providers to comply with State requirements. The committee took advantage of this opportunity to encourage and support State efforts to enforce adequate standards and to improve the quality of day care services.

I believe that if we are going to provide encouragement for family day care business, we must also provide encouragement to the providers and to State enforcement agencies for these services to meet at least minimal quality standards.

The providers of family day care offer a valuable and indispensable service, often at little or no financial profit to themselves. For many, it must be a labor of love because they earn too little through their services. Without the deduction this bill would restore for the business use of their homes, most would realize no financial reward for their efforts and many might well have to discontinue their services.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Speaker, I ask only for time to associate myself with the gentleman's remarks and those of the chairman. I know from personal experience in my district how important this home care is. I am very grateful for this opportunity to support it.

Mr. FRENZEL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. CONABLE).

Mr. CONABLE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would like to note in passing that this measure as originally

proposed did not contain a requirement that any day care center be licensed by the State in order to qualify for this tax treatment and that it was due to the very intelligent interventions of the gentleman from Minnesota that we got this provision in the bill. It now comes very close to a measure which the gentleman himself originally sponsored.

Mr. Speaker, I might say that this is a very important addition to the measure, because if the taxpayer has not complied with the State law, relative to the licensing, certification, registration, or approval of residences used as a day care center, I think we would lack an important safeguard.

May I say also that we have saved considerable revenue loss by putting a certification provision in the bill.

Mr. Speaker, for that reason the gentleman from Minnesota is to be very much commended for his additions, hard work, and the judgment that he has evidenced in seeing that this measure was changed into compliance with his own bill.

Mr. FRENZEL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. ULLMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. VENTO), one of the authors of the bill.

Mr. VENTO. Mr. Speaker, I would like to thank the Committee on Ways and Means for its very diligent approach and prompt recognition of this oversight in the Tax Reform Act of 1976. This would have been an extreme hardship in terms of providing exclusive use tests on the conditions for home day care for the handicapped and for the elderly. This prompt action by the committee will be of significant benefit and continue to provide these day care services to many of the individuals that have need for them.

Mr. Speaker, I appreciate their support and urge support of the Members in its passage.

Mr. GLICKMAN. Mr. Speaker, as a cosponsor of legislation identical to H.R. 3340 and one who has introduced similar legislation, I wanted to voice my strong support for this measure.

As you all know, child care is an increasingly important issue in American life. We must do all we possibly can to insure high standards of care for our children who, after all, are our future.

The Tax Reform Act of 1976 eliminated tax breaks for business in the home unless a portion of the dwelling was used solely for that business. While tightening up this portion of the law was, in general, I believe, a good idea, it did not take into consideration those business persons whose whole home business was day care.

Very few, if any, homes have separate rooms, bathrooms and kitchens that may be used exclusively by the children for whom day care services are provided. Subsequent to passage of the Tax Reform Act of 1976, these businesses were faced with the problem of low profit, inherent in such a business and no tax breaks on depreciation, utilities, or capital improve-

ments. In addition, certain State laws which govern day care homes, call for standards of safety, nutrition, et cetera. Under the Federal tax law, even those improvements such as mandatory fencing, would not be deductible.

During the recent Ways and Means Committee hearing held on this issue, several of my constituents, all day care providers, journeyed to Washington in order to express the dire nature of their straits under the 1976 law.

Opon meeting with and talking to these people, I was incredibly impressed by their dedication to child care. I do not know if they are typical of day care providers throughout the country, but they certainly were astonishing.

The financial rewards in this line of work, I was told, are minimal. A love of children and the reward of inner satisfaction were what motivated them to become day care providers. These women make on the average \$4 a day per child. They feed their charges, often guided by Federal nutrition standards; teach them, everything from tying shoes to proper eating habits; and offer them affection and a secure "homelife" during those hours in which they are separated from their natural parents. In addition, they provide working mothers with the opportunity to engage in gainful employment and in many instances stay off the welfare roles.

Day care providers under the 1976 law would not only be prohibited from deducting legitimate business expenses, but would, in many cases, be forced to give up rewarding businesses which they love.

We cannot logically expect any person, no matter how great his or her dedication, to continue in a business that is not only marginally profitable, but is, in fact, costing money. This is unheard of and stands in need of correction.

I therefore reiterate my strong support for this measure and urge my colleagues in the House of Representatives to echo this support through affirmative votes.

Mr. FRASER. Mr. Speaker, the House today will vote on a piece of remedial tax legislation which corrects a problem created by the Tax Reform Act of 1976. In our attempt to limit deductions for business use of the home, we inadvertently placed a constraint on deductions which one important home business, family day care, cannot meet.

I am very pleased that we are now taking action to exempt family day care providers from the exclusive use test. In this carefully honed bill we are not reopening a loophole. Instead, we are recognizing legitimate expenses, necessary for conducting the business of family day care.

Although I would have preferred to leave the question of enforcing State regulations on approved homes up to the States, this bill takes into account the special problems many States have in making the needed inspections and approvals and does not penalize day care homes for delays in obtaining the required licensing, registration or approval. The bill allows 3 months after enactment of this legislation to submit an application for approval. With this grace period, family day care providers should

not have trouble in meeting the requirements for taking this deduction in tax years beginning after 1976.

Mr. Speaker, I support this piece of legislation and hope that my colleagues will indicate their approval of it. Inadvertently, we created a problem for a unique home business—family day care. Now we are acting to correct our mistake.

Mrs. KEYS. Mr. Speaker, it sometimes happens that the Congress passes an otherwise worthy piece of legislation which has an unintended impact upon a particular segment of the population. The law is not omniscient nor, unfortunately, are the legislators who write those laws. In this case, the Tax Reform Act of 1976 has the unseen consequence of discouraging family day care services to assist working parents, the elderly, and the handicapped.

Last year, in an effort to reduce widespread abuse of our tax laws and simplify their application, the Congress revised the provisions regarding the business use of the home. No more can an individual who is writing the great American novel on his kitchen table charge the taxpayers for a portion of the cost of keeping up his home. The Tax Reform Act instituted a reasonable test to assure that there was actually some additional cost to the taxpayer of operating a business in his house. The law now prohibits the use of the deduction where the portion of the home used for business is also used as a residence.

Unfortunately, this rule has not proved workable when applied to family day care providers. It is one thing to require that an author, an accountant, or a dentist keep his pen, typewriter, or dentist chair in a single room; it is quite another to expect children to be confined to a corner of the house without use of the kitchen, bedrooms, or bath. In fact, some State day care licensing laws require that children have full use of these portions of the home.

Mr. Speaker, in offering this exemption for family day care providers, we are recognizing two simple facts—that good "family" day care requires a family setting and that there are indeed additional costs in keeping children in one's home. Those who are parents certainly remember the enormous extra wear and tear on furniture, floors, woodwork, and walls caused by children. Even the most well-behaved child may make his first attempt at artistry by drawing on the living room wall or carving his initials in the woodwork. To argue that there is no additional depreciation or additional incremental cost keeping up a home in these circumstances is to ignore the realities of child rearing.

This bill recognizes the unique nature of family day care and offers a reasonable exception to this new rule of law. I hope my colleagues will see fit to lend their support to this measure.

Mr. CLEVELAND. Mr. Speaker, as a cosponsor of the bill before us today, which would amend the provisions of the Tax Reform Act of 1976 pertaining to the business use of residences for day care service, I strongly urge the passage by the House of Representatives.

It is most regrettable that the Congress

is forced to dwell on legislation to correct obvious inequities and deficiencies in the 1976 tax law. Unfortunately, this dilemma arises time and time again and is symptomatic of the lack of efficiency and commonsense employed by the Congress in meeting this Nation's critical problems.

The Tax Reform Act of 1976, which is a perfect example of deceptive labeling, provides us with a glaring case of the chaos that can result from hasty congressional action—in the rush for adjournment—on complicated and broad-scale legislation. As we well know, the version of the Tax Reform Act of 1976 that finally became law was the product of a House-Senate conference that reconciled vastly different bills passed by the two bodies. The conference committee's bill was presented to us as a reform bill, yet we had precious little opportunity to scrutinize its provisions, which amounted to a law of well over 500 pages in length. Each Member of Congress had to vote a simple yea or nay on this mammoth bill.

The business use of a home as it affects day care services is not an isolated case of an ill-conceived section of the 1976 law. To cite but one other example, Congress has yet to take final action on sorely needed legislation to do away with the unfair retroactive nature of the sick pay and disability provisions of the 1976 act. How much time must Congress spend correcting its own mistakes, such as the one before us today, which result from processes and procedures that discourage full deliberation and debate?

Mr. Speaker, the bill before us today ought to be a warning to the Congress. All too frequently we have reacted in haste to issues and problems that need deliberate, painstaking attention. We have too often sought to reform for reform's sake, forgetting in our zeal many of the down-to-earth, real-life situations that get ignored or even made worse by our cosmetic surgery. It seems recently that for every "reform" brought about by these overwhelming bills, three new problems are created to take the place of the original. Let us hope that in the future the Congress will be a bit more narrowly focused, a bit more specific, and a bit more careful in its reform measures, and do away once and for all with the tomes now coming to us for review.

Mr. ULLMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. ULLMAN) that the House suspend the rules and pass the bill, H.R. 3340, as amended.

The question was taken.

Mr. FRENZEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 320, nays 1, answered "present" 1, not voting 111, as follows:

[Roll No. 135]

YEAS—320

Abdnor
Addabbo
Alexander
Allen
Ammerman
Anderson,
Calif.
Anderson, Ill.
Andrews,
N. Dak.
Applegate
Archer
Armstrong
Ashley
Aspin
AuCoin
Badham
Bafalis
Baldus
Barnard
Baucus
Bauman
Beard, R.I.
Beard, Tenn.
Bedell
Benjamin
Bennett
Bevill
Bingham
Blanchard
Blouin
Boggs
Bonker
Bowen
Breaux
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton, John
Butler
Caputo
Carney
Carr
Carter
Cavanaugh
Chappell
Chisholm
Clawson, Del.
Clay
Cleveland
Cochran
Cohen
Coleman
Collins, Tex.
Conable
Conte
Conyers
Corcoran
Corman
Cornell
Cornwell
Coughlin
D'Amours
Daniel, Dan.
Daniel, R. W.
Danielson
Davis
Delaney
Dent
Derwinski
Dickinson
Dingell
Downey
Drinan
Duncan, Tenn.
Early
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, Okla.
Elberg
Emery
English
Erlenborn
Ertel
Evans, Colo.
Evans, Del.
Evans, Ga.
Evans, Ind.
Fascell
Fenwick
Findley
Fish

Fisher
Fithian
Flippo
Flynt
Fountain
Fowler
Fraser
Frenzel
Fuqua
Gaydos
Gilman
Ginn
Glickman
Goodling
Gore
Gradison
Grassley
Gudger
Guyer
Hagedorn
Hall
Hamilton
Hammer-
schmidt
Hanley
Hannaford
Hansen
Harris
Harsha
Hawkins
Heckler
Hefner
Heftel
Hollenbeck
Holt
Horton
Howard
Hubbard
Huckaby
Ireland
Jacobs
Jenkins
Jenrette
Johnson, Calif.
Johnson, Colo.
Jones, N.C.
Jones, Okla.
Kasten
Kastenmeier
Kazen
Kelly
Ketchum
Keys
Kildee
Kindness
Kostmayer
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leach
Lederer
Lehman
Lent
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, Md.
Lott
Lujan
Lukens
McCloskey
McCormack
McDonald
McFall
McHugh
McKay
McKinney
Madigan
Maguire
Mahon
Markey
Marks
Marienlee
Marriott
Martin
Mathis
Mattox
Mazzoli
Meeds
Michel
Mikva
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Montgomery

Moore
Moorhead,
Calif.
Moorhead, Pa.
Murphy, Pa.
Murtha
Myers, Gary
Myers, Michael
Natcher
Neal
Nedzi
Nichols
Nix
Nowak
O'Brien
Obey
Ottinger
Panetta
Patterson
Pattison
Pease
Perkins
Pettis
Pike
Poage
Pressler
Preyer
Pursell
Quayle
Quie
Quillen
Rahall
Rallsback
Rangel
Regula
Rhodes
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Rogers
Roncallo
Rooney
Rose
Rosenthal
Roussetot
Roybal
Runnels
Ruppe
Santini
Sarasin
Satterfield
Sawyer
Scheuer
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shuster
Simon
Sisk
Skelton
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
St Germain
Staggers
Stangeland
Stanton
Steed
Steers
Steiger
Stockman
Stokes
Stratton
Studds
Stump
Symms
Taylor
Thompson
Thone
Tonry
Traxler
Treen
Trible
Udall
Ullman
Vanik
Vento
Waggonner
Walgren
Walsh
Watkins
Waxman
Weaver
Weiss
Whalen

White
Whitehurst
Whitten
Wiggins
Wilson, Bob

Winn
Wright
Wylder
Wyle
Yates

Yatron
Young, Fla.
Young, Tex.
Young, Mo.
Zablocki

NAYS—1

Volkmer

ANSWERED "PRESENT"—1

Duncan, Oreg.

NOT VOTING—111

Akaka
Ambro
Andrews, N.C.
Annunzio
Ashbrook
Badillo
Bellenson
Biaggi
Boland
Bolling
Bonior
Brademas
Brinkley
Brown, Ohio
Burke, Fla.
Burton, Phillip
Byron
Cederberg
Clausen,
Don H.
Collins, Ill.
Cotter
Crane
de la Garza
Delums
Derrick
Devine
Dicks
Diggs
Dodd
Dornan
Edgar
Fary
Florio
Flowers
Foley
Ford, Mich.
Ford, Tenn.

Forsythe
Frey
Gammage
Gephardt
Gialmo
Gibbons
Goldwater
Gonzalez
Harkin
Harrington
Hightower
Hillis
Holland
Holtzman
Hughes
Hyde
Ichord
Jeffords
Jones, Tenn.
Jordan
Kemp
Koch
Le Fante
Leggett
Long, La.
Lundine
McClory
McDade
McEwen
Mann
Metcalfe
Meyner
Mikulski
Milford
Mollohan
Moss
Mottl
Murphy, Ill.

Murphy, N.Y.
Myers, Ind.
Nolan
Oakar
Oberstar
Patten
Pepper
Pickle
Price
Pritchard
Reuss
Roe
Rostenkowski
Rudd
Russo
Ryan
Shipley
Sikes
Skubitz
Slack
Stark
Teague
Thornton
Tsongas
Tucker
Van Deerlin
Vander Jagt
Walker
Wampler
Whitley
Wilson, C. H.
Wilson, Tex.
Wirth
Woelf
Young, Alaska
Zeferetti

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Dodd.
Mr. Milford with Mr. Gonzalez.
Ms. Mikulski with Mr. Ichord.
Mr. Ambro with Mr. Charles H. Wilson of California.
Mr. Bolland with Mr. Ryan.
Mr. Brademas with Ms. Oakar.
Mr. Teague with Mr. Mottl.
Mr. Van Deerlin with Mr. Long of Louisiana.
Mr. Zeferetti with Mr. Leggett.
Mr. Rostenkowski with Mr. Brinkley.
Mr. Wolff with Mr. de la Garza.
Mr. Russo with Mr. Hightower.
Mr. Wirth with Mr. Ashbrook.
Mr. Price with Mr. Frey.
Mr. Phillip Burton with Mr. Jeffords.
Mr. Byron with Mr. Crane.
Mr. Dicks with Mr. Hillis.
Mr. Cotter with Mr. Devine.
Mr. Murphy of New York with Mr. Goldwater.
Mr. Nolan with Mr. Kemp.
Mr. Le Fante with Mr. Brown of Ohio.
Mr. Jones of Tennessee with Mr. McClory.
Ms. Holtzman with Mr. Hyde.
Mr. Hughes with Mr. Dornan.
Mr. Harrington with Mr. McDade.
Mr. Gialmo with Mr. Burke of Florida.
Mr. Fary with Mr. McEwen.
Mr. Florio with Mr. Rudd.
Mr. Ford of Tennessee with Mr. Skubitz.
Mr. Badillo with Mr. Cederberg.
Mr. Biaggi with Mr. John T. Myers.
Mrs. Collins of Illinois with Mr. Walker.
Mr. Mann with Mr. Don H. Clausen.
Mrs. Meyner with Mr. Pritchard.
Mr. Moss with Mr. Vander Jagt.
Mr. Murphy of Illinois with Mr. Forsythe.
Mr. Shipley with Mr. Young of Alaska.
Mr. Sikes with Mr. Wampler.
Mr. Slack with Mr. Flowers.
Mr. Roe with Mr. Tucker.
Mr. Lundine with Mr. Akaka.

Mr. Bonior with Mr. Andrews of North Carolina.

Mr. Metcalfe with Mr. Edgar.
Mr. Dellums with Mr. Gephardt.
Mr. Diggs with Mr. Holland.
Mr. Koch with Mr. Oberstar.
Mr. Patten with Mr. Pickle.
Mr. Ford of Michigan with Ms. Jordan.
Mr. Foley with Mr. Reuss.
Mr. Pepper with Mr. Charles Wilson of Texas.

Mr. Stark with Mr. Gibbons.
Mr. Harkin with Mr. Thornton.
Mr. Tsongas with Mr. Whitley.
Mr. Mollohan with Mr. Bellenson.
Mr. Derrick with Mr. Gammage.

Mr. FOUNTAIN and Mr. PREYER changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ULLMAN. Mr. Speaker. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

APPOINTMENT OF THE CHAIRMAN AND VICE CHAIRMAN OF THE FEDERAL RESERVE BOARD

(Mr. MITCHELL of Maryland asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MITCHELL of Maryland. Mr. Speaker, today I am introducing a bill to provide for appointment by the President of the Chairman and Vice Chairman of the Federal Reserve Board at regular 4-year intervals. Appointments shall be made with the advice and consent of the Senate from among those serving as Governors of the Federal Reserve Board, beginning on February 1, 1982, and at 4-year intervals thereafter. Vacancies which occur for reasons other than by expiration of term shall be filled for only unexpired portions of the term.

IMPORTANCE OF THE FEDERAL RESERVE AND THE CHAIRMAN OF THE BOARD OF GOVERNORS

The Federal Reserve manages our Nation's money and credit. Its decisions are crucial to our economy's overall performance. Nearly all economists now agree that though money is not all that matters, it matters very much in determining our economy's employment, production, price, and interest rate trends. Inflation is exacerbated and interest rates pushed up when the Fed allows money supply to grow faster than our economy's potential to increase production. Production recedes and unemployment rises when the Fed slows money growth suddenly and sharply.

The Board of Governors of the Federal Reserve supervises the System's activities. The Board reviews the determination of rates of discount, sets re-

serve requirements for member banks, oversees operations of the Nation's payments mechanism, and so on. Most importantly, the seven members of the Board of Governors serve as permanent members of the Fed's 12-man Open Market Committee; and the Chairman of the Federal Reserve Board is also chairman of the Open Market Committee. In turn, the Open Market Committee sets year-to-year targets for monetary growth and guides the day-to-day actions that control the growth of the monetary aggregates.

Thus, in every respect, the Chairman of the Federal Reserve Board is in charge of the Nation's monetary policy. His decisions and actions thereby strategically affect our employment opportunities and the prices we pay for the goods and services we buy. Few, if any, would deny the importance of the Federal Reserve or the Chairman of its Board of Governors. Few also would deny the importance of providing for both continuity of monetary policy and congruity with the fiscal and other economic policies of the President and the Congress. The former requires shielding monetary policy from sudden ephemeral political influences. The latter requires allowing new Presidents to appoint those in charge of monetary policy after they have had time to decide and put into effect their fiscal and other economic policies. My bill aims at achieving precisely this dual purpose.

HOW MY BILL AMENDS CURRENT PROCEDURE

My bill will not change the terms of office of the seven Governors of the Federal Reserve Board. They will continue to be appointed by the President to 14-year terms, staggered so that one Governor is appointed on January 31 every even-numbered year. Also, of the persons thus appointed, the President, under my bill, will continue to designate, as he now does, one to serve as Chairman and another to serve as Vice Chairman, both for 4-year terms.

My bill amends current procedure in two ways. First, it requires Senate confirmation of the President's Chairman and Vice Chairman designates. Second, it provides that the terms of the Chairman and Vice Chairman shall always begin on a date certain—1 year and 12 days after inauguration of the President, and that vacancies which occur for reasons other than by expiration of term shall be filled only for unexpired parts of the term. In contrast, under existing law both the Chairman and Vice Chairman are appointed to serve 4-year terms beginning when they are appointed, regardless of whether their predecessor has served a full 4-year term. The phasing of their terms in relationship to that of the President thus is now partly a matter of chance.

In consequence, in the past, Chairmen—and Vice Chairmen—have been appointed to serve 4-year terms at various times in the Presidential cycle. President Roosevelt appointed Eugene R. Black to serve as Chairman in May 1933 only 2 months after his first inaugural in March 1933. Marriner S. Eccles and Thomas B. McCabe were appointed in Presidential election years; Eccles in 1936, 1940, and 1944, and McCabe in 1948. McCabe resigned in March 1951, and Wil-

liam McC. Martin was appointed to his first 4-year term in 1951 and reappointed in 1955, 1959, 1963, and 1967; that is, always 2 years after inauguration of the President. Martin's term as Governor expired on January 31, 1970. His place both as Governor and Chairman was taken by Arthur Burns, whose first term as Chairman began on February 1, 1970. Dr. Burns was redesignated Chairman in 1974 and is eligible to be designated again in 1978 and 1982. His terms are phased to begin 1 year after inauguration of the President.

My bill will make permanent the current phasing of the Chairman's term to begin 1 year after the President is inaugurated, and apply the same phasing to the term of the Vice Chairman. It will, therefore, not affect Dr. Burns in any way whatsoever. He can be reappointed for a 4-year term in 1978. He also can be reappointed again in 1982; but if he is, he would serve only 2 additional years because his term as Governor expires in 1984. If Dr. Burns is appointed to serve as Chairman in 1982, then, under my bill in 1984 his successor would be appointed to fill the unexpired part of the 4-year Chairman's term and be eligible for appointment to his own 4-year term beginning February 1, 1986.

Under current law, if Dr. Burns retires as Chairman on January 1, 1984, a new Chairman could be appointed for a full 4-year term the next day or whenever the President chooses to fill the position. In considering this possibility, it is well to keep in mind that 1984 is a Presidential election year. There is a chance, then, under present law, that as early as 1984, appointment of the Fed Chairman could become an election issue. To assure that administration of the Fed is kept out of politics, we must eliminate this chance that a new Chairman will be appointed for a full 4-year term in 1984, a Presidential election year, and be up for reappointment in 1988 and 1992, also Presidential election years.

My bill eliminates the element of chance that now exists in determining when the terms of Federal Reserve Board Chairmen and Vice Chairmen begin. Under my bill, full terms always will begin one year after the President is inaugurated. They cannot begin, as now, in election years nor could they begin a few days after the President is inaugurated, as they now also can.

SECTION-BY-SECTION ANALYSIS

The proposed bill on the terms of the Chairman and Vice Chairman of the Board is titled "The Federal Reserve Act Amendments of 1977." Section 2 of this bill would require Presidents to designate the Chairman and Vice Chairman of the Board in a straightforward manner which eliminates chance playing a role as it now does in the phasing of their terms in relation to that of the President. Specifically, this section would provide for the designation of the Chairman and Vice Chairman beginning on February 1, 1982, and at every 4-year interval following that date. The President's designates for these two positions would be subject to Senate confirmation. Section 3 deals with appointments to fill unexpired terms of the Chairman and Vice Chairman.

The approach taken by this proposal is based on several reasons:

First. Under the provisions of the 1913 Federal Reserve Act, as amended, one vacancy among the Board of Governors occurs on January 31 in every even-numbered year. Under my bill, the 1982 vacancy and vacancies every 4th year thereafter, will permit the President to designate a new Chairman to a full term who is the most qualified individual in the country. He will not be limited to persons already serving as members of the Board. The new person can be appointed Governor January 31 and designated Chairman the next day. In contrast, under the law as it stands, the Chairman might have to be chosen from among already sitting Governors. This happened in 1955, 1959, 1963, and 1967. William McC. Martin's terms as Chairman expired in those years, and as they are odd-numbered years, no vacancy occurred on the Board of Governors.

Thus, the President was required to choose the Board's Chairman from among a predetermined pool of just seven persons. Clearly, this constraint is unnecessary, unwarranted, and unduly confining.

Second. Under my bill, incoming Presidents will designate a Chairman and Vice Chairman 1 year after assuming office. This provides for the closest possible phasing of the terms of the Fed Chairman and Vice Chairman in relation to the President's term without amending provisions of the act with respect to the expiration of the Governors' terms of office. At the same time, this measure allows the President the widest possible choice in selecting the Chairman or Vice Chairman.

Third. The 1-year delay in designating the Chairman and Vice Chairman provides for reasonable continuity in monetary policy in periods when the Presidency changes party without, however, unduly restricting the President in conducting economic policy. By the time a new administration has formulated and put into place its fiscal and other economic policies, the President will be able to designate his choice as Chairman of the Federal Reserve Board, thereby assuring congruity—though not subordination—of monetary policy with his economic programs.

Fourth. Current law states that whenever a vacancy occurs among the seven members of the Board that a successor shall be chosen to fill the unexpired portion of his predecessor's term. This provision, though, does not specify the unexpired terms of the Chairman and Vice Chairman. Section 3 of the proposed bill makes it clear that should the chairmanship or vice chairmanship be vacated before expiration of the term that only the unexpired portions of the term would be filled by appointed successors. This eliminates chance in determining the phasing of the terms of our President and our top monetary policy officials, and clearly chance should play no role in the determination of this relationship.

Fifth. Although Senate confirmation is required for membership on the Board of Governors, the Federal Reserve Act does not require such confirmation for

the President's designates as Chairman and Vice Chairman. The nature of these positions, however, warrants Senate confirmation as contained in section 2 of my bill.

MARY B. BURCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 15 minutes.

Mr. RODINO. Mr. Speaker, in every city and town there are a few people who leave an indelible mark of progress and compassion for others to follow. Such a person is my close friend, Mary B. Burch of Newark.

For nearly 30 years, Mary Burch has contributed her energy, her talent, her imagination, and her unshakeable faith in humanity to the young people of the Newark area.

In 1949, she and a handful of young people founded The Leaguers, an organization dedicated to stimulating an interest in education and cultural affairs. At first the group met in the home of Mary and her husband, Dr. Reynold E. Burch. When its membership outgrew that, the organization met in churches, schools, and businesses. Then, in 1959, Dr. Burch contributed \$500 for a scholarship fund and, later, the building that served as The Leaguers, Inc., Educational and Cultural Center.

After years of hard work and sacrifice, the organization and Mrs. Burch, supported by many civic and educational leaders, constructed the brick building that serves as the headquarters today.

Mr. Speaker, Mary Burch is a remarkable person with the rare ability to mold reality from a dream. With the help of people like her husband, the late Rev. John McNulty of Seton Hall University and others, Mrs. Burch raised funds for her organization and its scholarship program. Now, thousands of children are better men and women, serving their communities well, because of the help, the encouragement, and the wisdom given them by Mary Burch.

The contributions of this fine woman extend across the State of New Jersey. She was a founder of the United Women's League of New Jersey, a trustee of the Newark State College and Essex County College, where currently she is the board's vice chairman, a supporter and official of a host of civil, charitable, cultural, and human rights organizations.

I think that Mary Burch is best described by her own words, spoken during recent ceremonies at Essex County College in which the school's first annual Black History Week Festival was dedicated to her. She said:

All meaningful relationships must be tempered with giving, receiving and sharing. They must be dignified by responsibilities and mutual respect, thereby producing a maturity which will not only withstand the storms of life, but its rewards as well.

Mr. Speaker, I should like to include at this point a few of the tributes to Mary Burch made during the dedication cere-

monies that were led by J. Harry Smith, president of Essex County College.

Donald Payne, director, Essex County Board of Freeholders:

I would like to express my deep gratitude and strong, close feelings to Mrs. Burch because I am a product of The Leaguers. Mrs. Burch was certainly before her time and therefore has become a legend in her own time.

Peter Aduabato, Essex County College Board of Trustees:

The force of her work in education has been a major factor in the development of our nation's character, because her Leaguers are in every walk of life in this country, from government circles in Washington to kindergarten circles on Clinton Avenue.

Harry Wheeler, representing Newark Mayor Kenneth Gibson:

Mary, the City of Newark, through its Chief Executive, salutes you on this magnificent occasion and says, may you continue, and may the continuance that you represent be part of the overall growth of black people in this country.

William S. Hart, mayor of East Orange:

Elbert Hubbard once said, "If I could make you think a thought, you may remember and you may not; but if I can make you think a thought for yourself, I have indeed added to your stature." Mrs. Burch has done that all these years—made people think for themselves.

Donald Tonic, president of the Essex County College Student Government Association:

Mrs. Burch has lived for something. She has done good and will leave behind her a monument of virtue that the storm of time will never distort. She has written her name in kindness, love and mercy on the hearts of thousands with whom she has come in contact year after year, and her name will never be forgotten.

Dr. Robert Spellman, vice president for academic affairs:

Her life is like a beautiful full orchard tree whose fruits grow with each sunrise and evening, a tree who stands above other trees with distinction, dignity and productivity.

Edison O. Jackson, vice president for student affairs:

The theme we have chosen for our celebration for Black History Week is "In Honor of Greatness." This theme was chosen particularly because it said best what we wanted to express about our honoree, Mary Burch.

Mr. Speaker, these are moving and fitting tributes to a truly great woman. But I am sure that all those who love and admire Mary Burch would agree that her greatest and most lasting monument is the thousands of people, black and white, old and young, whose lives have a new and richer meaning because of her. She has reached out and touched us all, and made us better than we were. I am proud to call her my friend.

LEGISLATION TO AVOID IMPROPER APPLICATION OF FAIR LABOR STANDARDS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, I have been appalled to learn that the Civil Service Commission is attempting to thwart efforts by the Department of Defense to reduce the operating costs of the DOD commissaries. DOD has a mandate from the Congress to reduce operating subsidies. And yet, an order recently issued by the Civil Service Commission would add as many as 10,000 new employees to the payroll of the commissaries. Even worse, DOD would be required to assume a liability for payment of wages to these individuals dating back to May 1, 1974.

Many military personnel, retirees, and their dependents do their food shopping at commissaries operated by the military departments. At most of these stores there are persons who help the patrons bag and carry out their purchases and are paid tips by the patrons they help. The tips are their sole compensation. These men and women are sometimes off-duty, low-ranking military personnel. Some of them are high school students. They are independent entrepreneurs offering their services according to their own convenience. They are not supervised by the commissaries and have never been considered commissary employees.

Last November the Civil Service Commission ruled that these baggers should be regarded as Federal employees for purposes of the Fair Labor Standards Act. Under this interpretation, the Department of Defense would owe these baggers back wages from the time the Federal Government became subject to the FLSA in May 1974. These costs, through the end of February 1977, are estimated at between \$35 and \$53 million. Payment of the back wages would be an undeserved windfall to baggers who have already received tips as full payment for their services. In addition, if the commissaries are to furnish this service it would be necessary to increase the current manpower at estimated annual costs of from \$12 million to \$18 million. To accomplish this would require all commissary patrons to absorb higher prices to pay for a service desired by only some of the patrons. As an alternative the increased costs could be borne by the taxpayers through an increase in the subsidies to the commissaries.

As for the retroactive order, I am advised that the Department of Defense will probably require new legislation to authorize the hirings and back wage payments.

Obviously, the Department of Defense cannot obey the Civil Service Commission order if it is to be responsive to the desires of the Congress. Upon reporting the fiscal year 1977 DOD authorization bill, H.R. 12438, the conferees directed "the Department of Defense to institute management improvements and operational efficiencies for the purpose of reducing the present operating subsidies of the commissaries." The chairman of the Armed Services Committee, the Honorable MELVIN PRICE, called attention to this requirement in a letter he sent to the Secretary of Defense last November. He suggested that the Secretary appeal the CSC decision and ask the Commission for a stay pending detailed review of its ramifications by the DOD and the House

Armed Services Committee. I understand that consistent with those instructions the DOD has asked the Attorney General to consider the question and the CSC has agreed to suspend its action pending his decision.

This is an appropriate time for the Congress to clarify apparent misunderstandings regarding its intentions in the application of the Fair Labor Standards Act to Federal Government employees.

The Fair Labor Standards Act sets minimum wage standards, overtime payment requirements, and prohibits oppressive child labor. Before 1974, the U.S. Government was expressly excluded from the act's definition of "employer" contained in 3(d), 29 U.S.C. 203(d). When the act was amended in 1974 by Public Law 93-259, public agencies were included in the definition of employer. The problem we have is the definition of employee. It seems logical that a Federal employee is one who meets the traditional standards of Federal employment set out in title 5, United States Code, section 2105. Certain characteristics are inherent in the position of employee of the United States and are described by this statute as including appointment in the Civil Service by a designated official and performance of a Federal function under the supervision of another Federal employee. This was the intended definition when the FLSA was broadened in 1974 to cover specified categories of Federal employees.

It would be most incongruous to consider a person a Federal employee for purposes of the Fair Labor Standards Act when he or she does not meet the basic standards for employment and is an employee for no other purposes.

This bill will avoid the improper application of the Fair Labor Standards Act to individuals, including commissary baggers, that the Congress never intended to be included. At the same time, it will make the language of the FLSA compatible with a recent decision of the Supreme Court of the United States. Last June, in the case of *National League of Cities et al. against Usery*, the Supreme Court determined that the U.S. Constitution did not give authority to the Congress to apply the FLSA to employees of State and local governments. Accordingly, these employees are omitted from coverage under my proposed amendment of section 3(e) of the Fair Labor Standards Act, 29 U.S.C. 203(e).

The suggestion that part time baggers trying to pick up a little extra spending money be covered by all the paraphernalia associated with a career force is a little ridiculous.

There is nothing I can find in the legislative history to indicate that anyone in the Congress had anything like this in mind when we amended the Fair Labor Standards Act.

If the CSC ruling goes through, next week some bureaucrat will want to have skill tests for prospective baggers. Then we will have baggers class 1 and baggers class 2—not to mention master baggers.

Employees deserve protection. But society also ought to make available some uncomplicated ways for citizens to pick up a little extra pocket money by work-

ing for tips without being weighted down by the forces of bureaucracy.

I have long been a critic of the almost \$400-million-a-year Federal subsidy to the commissary store system. I am not against commissaries. I am against commissary subsidies. I am also in favor of efficient commissaries. And an involved system of salaries for bag boys does not make for improved efficiency.

MODIFICATION OF THE ELECTRONIC VOTING SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 10 minutes.

Mr. THOMPSON. Mr. Speaker, as you know, the electronic voting system, which is used here in the Chamber to record Members' votes, has been modified many times in the past to comply with the requirements of the House. Today, the Committee on House Administration has placed in operation a modification to the system which will allow the broadcasting of in-progress voting information over the closed circuit television network being tested in the Chamber.

During a vote, the offices connected to the television network will be able to follow the progress of the vote by observing the summary display information on the screen consisting of vote totals by party affiliation. The voting information will be updated every 20 seconds during each vote cycle.

The Committee on House Administration is pleased that it can continue to respond to requests for new features of the electronic voting system that will assist the leadership and the Members accomplish their responsibilities in a more efficient manner.

A STEP TOWARD UNIFYING THE WESTERN HEMISPHERE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, today I have introduced a bill cosponsored by a number of our colleagues in the House to permit the President, based on findings of national economic interest, to waive the restriction on extending benefits of the generalized system of preferences because of membership in the Organization of Petroleum Exporting Countries—OPEC—to any country in the Western Hemisphere.

I have carefully reviewed developments in the past several years regarding the so-called OPEC exclusion in title V of the Trade Act of 1974 which provides for the generalized system of preferences. That provision was enacted during the Arab embargo at the height of reaction in this country to the careless and still damaging action of many of the members of OPEC to deny United States oil and which resulted in a quadrupling of the international price of petroleum.

My review of the matter has led me to believe that our action with respect to Venezuela and Ecuador should be re-

versed. My conclusion is based on several factors: Venezuela and Ecuador did not place an embargo on oil shipments, but indeed continued to provide United States needed supplies of oil during the embargo. Although both countries benefited by the great increase in oil prices, I am informed that they have made judicious use of their increased oil revenues, devoting a part of such revenues to the development of their own countries and providing financial assistance through the Inter-American Development Bank and other financial institutions to their Latin American neighbors who have been hard pressed by the increase in the price of oil.

Moreover, I think we must pay special recognition to the exemplary record on human rights that the Government of Venezuela in particular has demonstrated. In fact, that country has joined the United States in its concern for human rights in the Western Hemisphere. I believe that it is appropriate that the United States recognize the encouraging developments in the human rights area by removing a discrimination in our own law which in effect discriminates against two of our neighbors in the Western Hemisphere.

I believe there is a need to work toward a trade policy for Latin America aimed at unifying the Western Hemisphere and meeting the demand to extend intercontinental trade, and to encourage economic cooperation throughout the Western Hemisphere. It is my hope that congressional action on the bill to amend the OPEC exclusion within the Western Hemisphere will rekindle that spirit of American solidarity much as it was ignited by the Alliance for Progress program of President Kennedy in the early sixties.

ABINGTON HIGH SCHOOL MARCHING BAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 5 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to share with my colleagues the recent triumph of the Abington High School Marching Band.

Representing the Commonwealth of Massachusetts, the band under the competent musical supervision of Band Director Paul Smith, competed against bands from throughout the Nation in capturing first place for its performance in the Cherry Blossom Parade, Saturday, April 2, 1977.

Having had the pleasure of meeting with Mr. Smith and this outstanding group of dedicated young men and women, I would further like to pay tribute to the Abington High School Marching Band by inserting the following Brockton Daily Enterprise article into the CONGRESSIONAL RECORD:

[From the Brockton Daily Enterprise, Apr. 4, 1977]

CHERRY BLOSSOM TIME MUSIC TO THEIR EARS
(By Joe Purcell)

ABINGTON.—Chanting "We're Number One" some 150 boys and girls, members of the Abington High School Marching Band, ar-

rived back home here at midnight after winning top, national honors in Washington, D.C.

The unit, made up of 105 musicians, a 35-girl drill team, seven majorettes, a drum major and two banner-carrying girls swept its division in Saturday's Cherry Blossom Parade competition.

An elated Band Director, Paul Smith, who is also director of music for the Abington schools said it all when he observed: "I think the kids are super."

The youngsters, punched out by the long bus trip to and from the nation's capital and the pressures of competition, still managed a throaty "We're Number One," when their buses pulled up at the high school around midnight.

Parents and friends met them and drove them to their homes. There, the youngsters dropped into their beds, exhausted from the exhilaration of their big, national win.

School officials took cognizance of the victory and its prestige and quickly ordered "no school" today for the happy but weary band unit.

Although there were 33 bands in the competition, Smith said, Abington competed against approximately 25 from as far away as California. Most of the bands in the competition were in the division category in which the Abington students competed. There was only one other division involved: Bands with more than 110 musicians.

The Abington band menaced its competition with its precision, although the members know how to turn on the razzle-dazzle. Over the 1.2 mile course along Constitution Avenue the bands were judged in three separate categories of performance: Music, marching and general effect.

"Musicianship," Smith said, "is most important, but we're also fussy about snapping up instruments and the verticals and diagonals of the march."

It was at this point that the director got carried away and blurted out: "The kids are super."

Some 75 Abingtons journeyed to the Capitol to see the youngsters perform and Smith indicated that it was probably the largest representative group from any state.

He said the band played "The Masterpiece" the Winter Olympics theme and "I Love Paris." Listeners said it was an overpowering joy to hear eight trombones, four French horns, two baritone horns, approximately 24 trumpets, eight sousaphones, 12 flutes, 11 multiple percussion instruments, bongos, timbales, baritone tim-toms, a snare drum line, and some 22 clarinets.

The Abington unit took up 90 yards of music-marching space on the asphalt from the front line to the last.

Members of the Washington Downtown Jaycees chose the Abington Band to represent Massachusetts because of the awards the unit has picked up from time to time.

On the buses carrying them back home, Smith said, the youngsters kept screaming "We're Number One—We're Number One."

The same chant, muffled and sleepy, issued from 150 bedrooms where the kids, today, were sleeping off their victory.

TO INCREASE ACCESS TO PRIMARY CARE SERVICES FOR MEDICARE BENEFICIARIES IN MEDICALLY UNDERSERVED AREAS

(Mr. CARTER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CARTER. Mr. Speaker, I am introducing legislation to increase access to primary care services for medicare beneficiaries in medically underserved areas.

Briefly, this bill would permit prospective budget-based reimbursement under medicare to rural health clinics for the costs which are reasonably related to providing clinic services, including the services of physician extenders provided under the general supervision of a physician.

The term physician extender applies to health professionals who have been trained in diagnosis and treatment of primary and emergency health care needs.

Due to the shortages of physicians in certain areas, many communities have come to rely on small clinics staffed by these extenders in order to meet the primary health-care needs of their area. Presently, however, medicare places such tight restrictions on reimbursement of extenders' services that many people otherwise eligible for assistance under that program are denied access to medical care.

Under my bill, the costs of providing these services would be eligible for reimbursement so long as the clinic meets certain requirements outlined in the legislation.

Also, I want to point out that the scope of such reimbursable services would be expanded by this bill to include preventive health services.

Finally, because there are urban areas with medically underserved populations as well, my bill also includes a demonstration authority for urban clinics which otherwise meet the requirements for rural health clinics outlined in the bill.

"Prospective budget-based reimbursement" is incorporated as the method of payment, because it provides a cost-conscious means of negotiating and paying for medicare services. Under this system, each clinic would be required to submit an estimate of its annual budget to the Social Security Administration. Payment then would be made to the clinic at the beginning of each quarter for the reasonable costs related to providing medicare services.

These, Mr. Speaker, are the major features and innovations of this bill, and I will detail them further. However, for those less familiar with the problems of access to health care which affect more than 45 million Americans, I would first like to discuss the background of this issue and the reasons why I am recommending the solutions which this bill offers.

I see the need for this legislation from three perspectives: as Representative of a rural district in southeastern Kentucky; as a member of the Health Subcommittee of the Interstate and Foreign Commerce Committee; and, as a physician who has practiced in a rural area.

As Congressman from Kentucky's Fifth District, I am acutely aware of the special health problems with which rural residents must contend, particularly the problem of access to medical care.

Many rural towns and communities simply do not have a physician. Often the nearest hospital is too far away to be of assistance for basic health care problems, and instead, is relied upon only for emergencies, when many neglected health

problems have become critical. Even then, rural Americans find that transportation problems and rugged terrain can impose substantial barriers to obtaining sorely needed medical attention.

In other cases, where a physician is available in a community, the doctor usually is overworked and in need of additional professional assistance. I know from my own experience that it is not unusual for a rural physician to see as many as 100 patients a day. The demanding nature of rural practice, I might add, is not much of an incentive to attracting more doctors to such medically underserved areas.

In addition to these special characteristics of rural areas which limit access to medical care, two of our major public financing programs, medicare and medicaid, actually discriminate against rural residents. Current medicare provisions make it difficult for rural clinics in at least two ways.

First, as the system presently operates, a clinic generally collects fees as billed by the physician. Those fees are set on a reasonable charge basis. However, this charge covers only the physician's service—and does so inadequately—and does not reflect the true cost of running the clinic. Thus, what medicare payment is received is generally inadequate.

Second, clinics have been unable to obtain medicare reimbursement for services provided by physician extenders, because a physician was not onsite at the time the extender performed the services. In fact, current law allows coverage for physician extender services only when they are provided under the direct supervision of a physician and only when they are of the kind traditionally performed as incident to a physician's service. The effect of this policy is to exclude from reimbursement the satellite clinics which are increasingly prevalent in rural areas and which are attempting to fill some of the gaps in our health care delivery system.

To correct these problems presented by medicare, my bill amends the law to allow medicare reimbursement on the basis of costs which are reasonably related to providing the clinic's services, thus allowing payment to cover more adequately the actual cost of providing care in a rural clinic setting. In place of the current policy of reimbursing only onsite directly supervised services of physician extenders my bill permits an arrangement which is more realistic for rural areas, and which allows periodic review of the extender's services as determined necessary by the physician.

Another feature of the present reimbursement system under medicare and medicaid which works against the interests of the very people these programs were designed to help is the practice of reimbursing rural physicians at a lower rate than doctors in urban areas for performing the same procedures. Nationally, rural doctors receive only 60 per cent of what urban physicians get for identical services under medicare and medicaid. This inequity concerns me greatly, and I am hopeful that the prospective budget-based reimbursement system I am proposing will help to equalize this differential for at least the

clinic-based services which doctors provide. Until remedied, this discrepancy in reimbursement will continue to exacerbate the already difficult task of attracting and retaining doctors in rural areas.

The second perspective from which I have developed this legislation is my experience on the Health Subcommittee. As a member of that panel for more than 12 years, I have been closely involved with legislation to improve the health care of all our citizens. It has been my pleasure during these years to work with Chairman PAUL ROGERS, whose commitment to improving health care for Americans is unsurpassed.

Yet, I would suspect that Chairman ROGERS would be among the first to join in acknowledging that while we have accomplished a great deal, we have not done all that is necessary.

One major piece of legislation developed by our subcommittee and enacted last year is the so-called health manpower law. It was designed to address a number of health manpower problems, and in particular, the need to improve the distribution of health professionals in medically underserved areas. Various approaches and funding provisions are included in the law to accomplish that objective.

For example, the legislation provides for substantially increased authorizations for the National Health Service Corps scholarship program. Under this program, health professions students agree to practice in medically underserved areas in exchange for Federal scholarships for their education. Although the potential of this program, if well-funded, is indeed great, its effect will not be fully felt for several years because of the timelag involved in actually training these students.

In addition to trying to solve distribution problems, our subcommittee has given a great deal of consideration to the training of health professionals. In fact, we are responsible for initiating programs to provide Federal support for the training and utilization of physician extenders.

Since 1967, the Federal Government has spent more than \$70 million to educate and promote the use of physician assistants and nurse practitioners. Yet despite this substantial investment in the development of a new breed of health professional, we do not have any consistent policy with respect to reimbursement of their services. For example, a physician extender providing home care services under the auspices of a home health agency may be covered by medicare, but an extender providing primary care services in a clinic is not.

In my view, out of fairness to the physician extenders who are being trained for what is essentially an uncertain market, and out of fairness to the taxpayers whose dollars contribute to these training programs, we need to resolve this issue. I submit further that it is time to shift our focus from "input" to "output," or the actual delivery, of health services. We need to design legislation which assures that these professionals will be effectively integrated into the health delivery system in a way

which best serves the health care needs of our people. I am hopeful that the bill I am offering will accomplish these goals by providing an equitable, yet cost-conscious way of reimbursing physician extender services.

Besides being a Representative of a rural area and a member of the Health Subcommittee, I view the need for this legislation from the perspective of a doctor who practiced many years in a rural setting. I have seen firsthand the tremendous service which rural clinics can provide. For example, in Leslie County in my district, we are fortunate to have the world-renowned Frontier Nursing Service.

Since 1925, when FNS was founded by Mary Breckinridge, the nurse-midwives have been providing needed care to residents in a surrounding area of about 700 miles including some of the most rugged terrain in Kentucky. It is no wonder that these nurses became known as the "horseback angels." Now, FNS has become a voluntary primary health care agency with several outpost clinics as well as a 40-bed hospital and a graduate program in family nursing and midwifery.

There are many other clinics in my district which I know are providing valuable service to the community through the use of physician extenders. The problem remains, however, that these clinics lack an adequately stable source of reimbursement for the services provided. Two clinics that I know of may even be forced to shut down simply because of insufficient funding. This would certainly prove catastrophic to the people who depend upon these clinics for their medical care, and I sincerely hope we can prevent such a disruption in service from occurring.

In addition to my concern about assuring access to medical care and providing reimbursement for services rendered, as a doctor I am concerned as well about the quality of that care. I believe this legislation does provide proper safeguards and standards to assure quality service.

First, under my bill the responsibility for care rests ultimately with the physician. It is the physician who determines the nature and extent of supervision required. It is the physician who prepares the medical orders for care and treatment of clinic patients, which outline the nature and limits of the physician extender's services. It is the physician who must agree to be available for consultation, guidance, referral, and emergencies. Clearly, without the responsible involvement of the physician, reimbursement under this legislation cannot be provided.

A second set of safeguards is found in the definition of physician extender. In addition to the requirement that the extender perform under the general supervision of a physician, the extender must be qualified either as a physician assistant by the National Commission on Certification of Physician Assistants, or as an adult-family nurse practitioner, as accredited by the American Nursing Association.

The examination for these certifications differ only slightly, with the nurs-

ing exam stressing the counseling role a bit more, but the stringent prerequisites to taking these tests are in themselves assurances of qualified personnel.

To qualify for the physician assistant examination, an applicant must have graduated from a program accredited by the Council on Medical Education of the American Medical Association or from a pediatric or family nurse practitioner program of at least 4 months duration at a nationally accredited school of medicine or nursing and which is funded by the Division of Health Manpower of the U.S. Public Health Service. Alternatively, an applicant for the physician assistant exam may produce documentation of having spent 4 years in full-time provision of primary care as a physician assistant or nurse practitioner in the United States or in the uniformed services.

For the adult-family nurse practitioner examination, an applicant must have graduated from a program of study approved by the American Nursing Association and have at least 2 years of practice as a nurse practitioner, 1 year of which may have been a preceptorship.

These two certification programs, therefore, provide sufficient screening to insure the safety of the patient. In addition to the training-certification requirement, the bill provides that extenders may perform only those services which they are legally authorized to perform in the State involved. There is no attempt through this bill to supersede State laws or regulations. The ultimate authority to determine the extender's role remains with the State and with the physician who has supervisory responsibility.

Yet, this is not to say that extenders are unable to perform quality services without immediate physician supervision. On the contrary, the intent of this legislation is to allow physician extenders to deliver primary care and emergency services without the requirement that a physician be onsite in order to receive reimbursement. The degree of independence given to the extenders will, of course, depend on the relationship between the physician and the extender. Together they should be able to work out an arrangement which best meets the health needs of the community and still assures that quality care is provided.

A third safeguard of quality care is found in the clinic-based approach provided in this bill. In order to help assure the quality of services for which medicare payment is made, the participating rural clinics themselves must meet certain criteria. For example, a clinic must maintain clinical records on all patients and must have written policies that govern the operation of the clinic. Because these clinics serve as an entry point to the medical care system, each must have access to diagnostic services as well as arrangements for referral or admission of patients requiring inpatient services or specialized services not available at the clinic. Additional requirements are outlined in the bill, which are also designed to assure provision of quality care.

Mr. Speaker, other bills have been introduced in this Congress which recog-

nize the need to improve access to health care in medically underserved areas and which would permit reimbursement for the services of physician extenders. I want to commend our able colleague, DAN ROSTENKOWSKI, who has taken the lead as chairman of the Health Subcommittee of the Ways and Means Committee in holding hearings on this issue of reimbursing rural health clinics for the costs of physician extenders' services. On the Senate side, Senator DICK CLARK has also introduced a rural clinic bill for which he has generated a good deal of support.

I have modeled my bill after the "clinic approach," because I believe that it provides the best possible way to address concerns about quality of care. While other Members of the House and Senate may have supported different proposals, these bills all share a common objective: To improve access to medical care for rural Americans. This is a goal, which I, too, am pleased to support.

However, there are four features of my bill which distinguish it from the other legislation proposed thus far, and I would like to review these provisions briefly:

First, my bill would permit prospective budget-based reimbursement to rural health clinics for the costs which are reasonably related to provision of covered services.

Under this arrangement, clinics would submit annual budgets for review by the Secretary of HEW/Social Security Administration. Guidelines for reasonableness, which is the criterion for budget acceptability, would be defined by the SSA on the basis of experience. Capital expenditure, the primary cause of inflation in cost budgets, would be closely monitored. Overhead costs also would be subject to limitations. Clinics would be required to submit estimates of the amount of Medicare services expected to be provided during the coming year. These estimates would be evaluated for productivity, using minimum productivity standards based upon the maturity and location of the clinics.

Once the budget is accepted, SSA would determine an annual payment to the clinic to be provided in quarterly installments. Adjustments would be made at the end of the year through appropriate audit procedures as determined necessary by the SSA.

Although such a mechanism appears to require a level of budget and cost reports not common to rural areas, it is actually less complicated than the current billing system. Once it is in place, it also would be a simpler, more efficient, and timely way to pay small clinics whose operation depends upon a regular flow of funds.

The second major innovation in my bill is that it would include physician-directed clinics as long as they meet the requirements in the bill. Two approaches would be permitted for reimbursing the cost of physician extenders' services. In cases where the physician employs the extender, payment would be made through the physician. In all other cases, it would be made to the clinic, which would in turn reimburse the extenders on the basis of their salaries. In addition,

the physician would be reimbursed for his services, including his supervisory duties, which would be included as costs of the clinic's operation.

Third, my bill expands the scope of Medicare services to include preventive services. As a physician, I have long been aware of the value of preventive medicine, and I have supported various legislative proposals to promote this approach over the years. Particularly, when we are trying to address the health care needs of our elderly population, we find that preventive care and certain counseling services are needed.

My bill would provide Medicare reimbursement for physical exams and for diagnostic services to help detect disease so it can be treated in its early stages. Health education services designed to prevent nutritional or other medical problems of the elderly also would be included under the definition of preventive services. Home health visits, preventive dental care, immunizations, physical therapy, and rehabilitative services, as well as services for illness management also would be covered.

When such preventive services are included as part of primary care in a clinic setting, it has been found that costly hospitalization can be reduced and that illness can be more effectively managed.

In fact, recent studies have shown that primary care in a clinic setting has reduced hospitalization among the elderly by more than 50 percent in several Memphis clinics, by 70 percent in Kentucky's Frontier Nursing Service, and by 35 percent in neighborhood health centers.

The reduction in hospitalization costs brought about by these reduced utilization rates may well provide significant savings under part A for the Medicare trust fund. Furthermore, a recent study conducted by the Mitre Corp. for the Appalachian Regional Commission suggests that reduced hospitalization is characteristic of all those served by primary health care clinics, not just the elderly.

The fourth distinguishing feature of my bill is demonstration authority for reimbursement of clinics in urban areas which otherwise meet the requirements of the legislation.

While we know that there are millions of Americans living in medically underserved rural areas, we must not forget that there are comparable underserved areas in our inner cities. According to 1970 statistics, approximately 11 percent of the urban population falls into the category of being medically underserved. Of the population, more than 11 million persons are over 65 years old.

In my view, it is only fair to include urban areas in this proposal, in cases where these provisions could be helpful in providing a regular source of primary care.

Because of the newness of this approach, the predominant need in rural areas, and the continuing concern about increasing Federal expenditures, I am proposing to limit the urban clinic program to a demonstration authority. Should this approach prove its value for urban medically underserved areas, we could consider expanding the scope of this coverage.

I am pleased to report that there is support for the objectives of this legislation in many quarters.

At recent hearings before the Ways and Means' Health Subcommittee and the Senate Agriculture Committee's Subcommittee on Rural Development, the Department of HEW strongly endorsed reimbursement on a reasonable cost basis for the services provided by physician extenders in rural clinics. Funds for such reimbursement already have been included in the administration's budget for fiscal year 1978.

The Appalachian Regional Commission, as well as the National Rural Center and Rural America, also endorse this general approach. The Association of Physician Assistant Programs, the American Academy of Physician Assistants, the American Nurses' Association, and the American Hospital Association, have announced their agreement with the clinic-based approach. The American Medical Association has stated its support for recognizing Medicare reimbursement for services performed by extenders under physician supervision whether at or away from the doctor's office. I think that this broad range of agreement on the goals of the legislation involving physician extenders should indicate the need for Congress to act on this issue.

I might add that it is not only organized associations which support the objective of improving access to primary health care by reimbursing the services of physician extenders. I sent a questionnaire to various clinics, doctors, and other health professionals in my own district to determine the sentiment on this very issue. That poll prompted strongly supportive responses in favor of amending Medicare to permit reimbursement for physician extenders' services when such services are performed under the general supervision of a physician.

Mr. Speaker, in conclusion, I believe that this legislation represents an important step toward assuring that all Americans have access to quality medical care and that such access is not dependent strictly on where a person lives.

I believe also that this bill will make it possible for millions of Medicare beneficiaries to actually obtain the medical care to which this Congress has agreed they are entitled.

I believe, further, that this bill includes adequate safeguards to insure that the Medicare patients themselves receive quality medical care while protecting the taxpayers' interests through a reimbursement mechanism which pays for only reasonable costs of providing that care.

I submit that this is an issue which merits careful consideration, and I am attaching a summary of this legislation along with the actual text of the bill so that my colleagues will have complete information on which to base their judgments:

SUMMARY

OVERALL PURPOSE

This bill amends Medicare Law to permit prospective budget-based reimbursement to rural health clinics for the costs which are reasonably related to providing clinic services, including the services of physician extenders, provided under the general supervision of a physician.

The bill also expands the scope of covered services to include preventive health services.

A comparable demonstration authority for selected urban areas is also provided in the bill.

1. Definition of rural health clinic

The term "Rural Health Clinic" means a facility which is not located in an urbanized area (as defined by the Bureau of Census) but is located in an area where the supply of medical services is not sufficient to meet the needs of individuals residing therein.

This definition would include areas designated by the Secretary of H.E.W. as having medically underserved populations under Section 1302(7) of the Public Health Service Act, and also clinics that receive a majority of their patients from rural medically underserved areas.

Also, in order to receive payment under this bill each rural clinic must:

(A) Be primarily engaged in providing rural health clinic services;

(B) Have an arrangement (consistent with state and local law) with one or more physicians for periodic review, (as determined necessary by the supervising physician) of all services furnished by physician extenders; for supervision and guidance; for preparation by such physicians of such medical orders for care and treatment of clinic patients as may be necessary; and for the availability of such physicians for referral of patients; and for advice and assistance in the management of medical emergencies;

(C) Maintain clinical records on all patients;

(D) Have arrangements with one or more hospitals for referral or admission of patients;

(E) Have written policies to govern management of clinic and all services it provides;

(F) Have a physician or physician extender responsible for the execution of such policies relating to the provision of the clinic's services;

(G) Have access to diagnostic services from facilities meeting requirements under this title;

(H) Have appropriate procedures or arrangements, in compliance with applicable state and federal law for storing, administering, and dispensing drugs and biologicals;

(I) Be governed by a board, a majority of which is composed of residents who live in the area served by the clinic and who are not the physician extender or supervising physician of the clinic;

(J) And meet such other requirements as the Secretary may find necessary in the interest of the health and safety of the individuals furnished services by the clinic.

2. Definition of "physician extender"

The term "Physician Extender" means a physician assistant, medex, nurse practitioner, nurse clinician or other trained practitioner who performs such services as he is legally authorized to perform in the state under the supervision of a physician and who is certified as a physician assistant by the National Commission of Certification of Physician Assistants (or successor organization) or is certified as an adult-family nurse practitioner by the American Nursing Association (or successor organization).

3. Definition of preventive health services

The term preventive health services means:

(A) Physical exams, and diagnostic services made in connection with any such exam, conducted for the purpose of assessing an individual's physical condition without regard to whether such individual has manifested symptoms of illness;

(B) Home health visits;

(C) Health education and counseling designed to prevent nutritional or other medical problems of the elderly, including counseling for conditions of terminal illness;

(D) Rehabilitative and physical therapy services;

(E) Immunizations and services related thereto;

(F) Services for illness management designed to minimize handicapped and discomforting conditions due to a chronic illness; and

(G) Preventive dental care

4. Prospective reimbursement

Each clinic which meets the requirements of the bill would submit an annual budget for review by the Secretary of HEW (in effect, the Social Security Administration).

Each clinic would also be required to submit an estimate of the amount of Medicare services provided by that clinic in the coming year.

The budget shall be formulated and submitted in accordance with regulations developed by the Secretary of HEW.

Payment may not be made to the clinic until the Secretary has approved its budget.

Once the budget is approved, the Secretary shall estimate the amount to be paid for services covered by this title, and shall pay quarterly installments of that amount to the clinic at the beginning of each quarter.

Payment shall be made to the physician, in the cases in which the extender is an employee of the physician, and in all other cases, payment shall be made to the clinic.

Appropriate audit and settlement shall be made at the end of each year.

5. Demonstration authority

Section 2 of the bill authorizes the Secretary of Hew to initiate and carry out demonstration projects in selected urban areas where the supply of medical services is not sufficient to meet the needs of individuals residing therein. Otherwise, urban clinics must meet the requirements prescribed for rural health clinics to receive reimbursement under this authority.

H.R. 6259

A bill to amend title XVIII of the Social Security Act to provide payment for rural health clinic services, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1833 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(1) With respect to rural health clinic services, payment shall be made, on behalf of an individual and in the manner described in section 1845 (after such section becomes effective), on the basis of costs reasonably related to providing such services or on the basis of such other tests of reasonableness as the Secretary may find appropriate."

(b) Section 1861 of such Act is amended by adding at the end thereof the following new subsection:

"(aa)(1) The term 'rural health clinic services' means such services and supplies as would otherwise be covered (under subsection (s) (2) (A)) if furnished as an incident to a physician's professional service and such additional services provided by a physician extender as he is legally authorized to provide in the jurisdiction in which he performs such services, so long as such services and supplies are furnished by a rural health clinic to an individual as an outpatient with respect to whom such services are periodically reviewed by a physician (as defined in section 1861(r)(1)). Such term also includes preventive health services furnished by a physician or physician extender (if such extender is legally authorized to perform such services) to an individual as an outpatient of such a clinic.

"(2) The term 'rural health clinic' means a facility which—

"(A) is primarily engaged in providing rural health clinic services;

"(B) has an arrangement (consistent with the provisions of State and local law relative to the practice, performance, and delivery of health services) with one or more physicians under which provision is made for the periodic review, as is determined necessary by the supervising physician, of all services furnished by physician extenders, the supervision and guidance by such physicians of physician extenders, the preparation by such physicians of such medical orders for care and treatment of clinic patients as may be necessary, and the availability of such physicians for such referral of patients as is necessary and for advice and assistance in the management of medical emergencies;

"(C) maintains clinical records on all patients;

"(D) has arrangements with one or more hospitals for the referral or admission of patients requiring inpatient services or such diagnostic or other specialized services as are not available at the clinic;

"(E) has written policies to govern the management of the clinic and all services it provides;

"(F) has a physician or physician extender responsible for the execution of such policies relating to the provision of the clinic's services;

"(G) has access to diagnostic services from facilities meeting requirements under this title;

"(H) has appropriate procedures or arrangements, in compliance with applicable State and Federal law, for storing, administering, and dispensing drugs and biologicals;

"(I) is governed by a board, a majority of which is composed of residents who live in the area served by the clinic and who are not the physician extender or supervising physician of the clinic; and

"(J) meets such other requirements as the Secretary may find necessary in the interest of the health and safety of the individuals who are furnished services by the clinic.

For purposes of this title, such term includes only a facility which (1) is not located in an urbanized area (as defined by the Bureau of the Census) but is located in an area where the supply of medical services is not sufficient to meet the needs of individuals residing therein (including such rural areas as are designated by the Secretary as areas having medically underserved populations under section 1302(7) of the Public Health Service Act, and including facilities in any area so long as the facility receives a majority of its patients from rural areas having medically underserved populations), and (2) has filed an agreement with the Secretary by which it agrees not to charge any individual or other person for items or services for which such individual is entitled to have payment made under this title, except for the amount of any deductible or coinsurance amount imposed, with respect to such items or services, pursuant to subsections (a) and (b) of section 1833.

"(3) The term 'physician extender' means, for the purposes of this subsection, a physician assistant, medex, nurse practitioner, nurse clinician or other trained practitioner (A) who performs, under the supervision of a physician (as defined in section 1861(r)(1)), such services as he is legally authorized to perform (in the State in which he performs such services) in accordance with State law (or the State regulatory mechanism provided by State law) and (B) who is certified as a physician assistant by the National Commission on Certification of Physician Assistants, or successor organization, or is certified as an adult-family nurse practitioner by the American Nursing Association, or successor organization.

"(4) The term 'preventive health services' means—

"(A) physical exams, and diagnostic services made in connection with any such exam, conducted for the purpose of assessing an in-

dividual's physical condition without regard to whether such individual has manifested symptoms of illness;

"(B) home health visits;

"(C) health education and counseling designed to prevent nutritional or other medical problems of the elderly, including counseling for conditions of terminal illness;

"(D) rehabilitative and physical therapy services;

"(E) immunizations and services related thereto;

"(F) services for illness management designed to minimize handicapping and discomforting conditions due to a chronic illness; and

"(G) preventive dental care."

(c) Section 1862(a)(3) of such Act is amended by striking out "in such cases" and inserting in lieu thereof "in the case of rural health clinics, as defined in section 1861(aa)(2), and in other cases".

(d)(1) Section 1861(s) of such Act is amended—

(A) by striking out "and" after the semicolon at the end of paragraph (8);

(B) by striking out the period at the end of paragraph (9) and inserting in lieu thereof "; and";

(C) by inserting after paragraph (9) the following new paragraph:

"(10) rural health clinic services."; and

(D) by redesignating paragraphs (10), (11), (12), and (13) as paragraphs (11), (12), (13), and (14), respectively.

(2) Section 1864(a) of such Act is amended by striking out "paragraphs (10) and (11)" and inserting in lieu thereof "paragraphs (11) and (12)".

(3) Section 1862(a) of such Act is amended—

(A) by inserting the following before the semicolon at the end of paragraph (1): "(except for preventive health services furnished as part of rural health clinic services)";

(B) by inserting after "physical check-ups" in paragraph (7) the following: "(other than physical checkups furnished as part of rural health clinic services)"; and

(C) by inserting "(except for preventive dental care services furnished as part of rural health clinic services)" after "care" in paragraph (12).

(e) Part B of title XVIII of the Social Security Act is amended by adding the following new section at the end thereof:

**"PROSPECTIVE BUDGETS AND PAYMENTS
TO RURAL HEALTH CLINICS**

"Sec. 1845. (a) Beginning as soon as practicable, as determined by the Secretary, after the effective date of this section, the Secretary may not pay any rural health clinic for services provided under this title in a fiscal year unless the clinic has submitted, and the Secretary has approved in accordance with this section, a prospective budget for the clinic for the fiscal year, including an estimation in such budget of the amount of services which are to be rendered by such clinic and for which payment will be made under this title. Such budget shall be formulated and submitted in accordance with regulations submitted by the Secretary.

"(b) After subsection (a) is implemented, the Secretary shall, prior to the beginning of each quarter, estimate the amount to be paid for services under this title for such quarter to each rural health clinic whose budget has been approved under subsection (a). Such estimate shall be based upon such budget and the amount already paid for such services to the clinic for services during the fiscal year. After making such estimate, the Secretary shall pay (at the beginning of such quarter and prior to audit and settlement by the General Accounting Office) to the clinic, or to the physician in the case of a clinic in which the physician extender is an employee of the physician, the amount of such estimate. At the end of each fiscal

year, the Secretary shall determine, with respect to each rural health clinic, if any discrepancy exists between the payments made during such year to the clinic and the amount to which the clinic is entitled under this title for such year. The Secretary shall, then, make payments to, or receive payments from, such clinic in order to correct such discrepancy."

(f) The amendments made by this section shall apply to services rendered on or after the first day of the third calendar month which begins after the date of enactment of this Act.

Sec. 2. The Secretary may initiate and carry out demonstration projects in selected urban areas where the supply of medical services is not sufficient to meet the needs of individuals residing therein. In carrying out such projects, the Secretary shall make payments on behalf of individuals for services described in section 1861(aa)(1) of the Social Security Act, except that such services shall be furnished to outpatients by health clinics located in the selected urban areas rather than by a rural health clinic. Such health clinics shall be primarily engaged in providing such services and shall meet the requirements of subparagraphs (B) through (J), and clause (ii) of the last sentence, of section 1861(aa)(2) of such Act. Eligibility for, the amount of benefits payable with respect to, and the manner of payment for such services shall be determined in the same manner as they are determined with respect to rural health clinic services under title XVIII of such Act.

**DO WE NEED THE PHILIPPINE
BASES?**

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, toward the end of its tenure, the last administration very nearly negotiated an agreement with the Government of the Philippines that would set new terms governing access and control of U.S. bases in that country. Concurrent with this agreement, the United States came close to committing itself to over a billion dollar pledge of military assistance to the Marcos regime.

The ultimate collapse of those negotiations has, I believe, been fortunate. A new administration and a new Congress now have a needed opportunity to give serious attention to U.S. security requirements that the bases supposedly fulfill. At the very least, we should question the necessity of maintaining current levels of U.S. forces and facilities in the Philippines. A hard-nosed review is particularly important given recent changes in U.S. policy toward the Southeast Asian region.

In the aftermath of the Vietnam war and a realignment of the U.S. military posture in the Western Pacific, it is highly doubtful that American forces will ever again be brought to bear in the manner it was previously in Southeast Asia. No country in the region appears to face a serious threat of conventional military attack beyond its own means of defense. On the other hand, should situations so warrant, the United States can mobilize and transport required air support and ground forces from bases well outside the region. We proved last August that F-111's can come from as far away as

Idaho in response to incidents in Korea. Where in Southeast Asia will we ever need a response as quick as that for Korea?

Even if we do manage to maintain our access to the bases in the Philippines, will we really be able to use them in all contingencies? The government there has taken a number of actions that bring into question the availability of the bases. Even during the Vietnam war, we did not take advantage of the proximity of Clark Air Force Base to that conflict and flew B-52's from Guam, hundreds of miles farther away, in order to protect Philippine sensitivities. The Philippines recently issued a joint communique with the Vietnamese that states that the Philippines will not allow the use of its territory for intervention against other countries in the region. Even if there was a situation in which we really had to rely on the bases to support our military actions in the region, would the Philippine Government allow us to do so?

Alternatively, United States and regional interests would appear to be adequately protected from facilities already established in Guam and elsewhere in the Pacific and Japan. On Guam, port facilities are underutilized and unemployment there has even been aggravated by U.S. military cutbacks. While officers at the Philippine bases complain of inadequate housing, new housing on Guam is underoccupied. Alternatives also exist for contracting ship repair needed to maintain a global fleet by using facilities under Philippine control or in Singapore and Japan.

All of this is worth considering in light of the potentially hard negotiation position the Philippine Government has indicated it may adopt. If press reports are accurate, the Marcos government has already doubled the size of its armed forces and tripled its budget for defense since martial law was imposed, and now wants over a billion dollars in U.S. military aid. If we provide such foreign aid, it will be impossible for us to avoid complicity with the repressive aspects of the Marcos government, a government that has shown no inclination to ease restrictions on human rights, that expels reporters and priests, and follows legal practices abhorrent to our society.

Mr. Speaker, all of these factors should be taken into account as the Carter administration focuses on the U.S. position in any renewed negotiations with the Philippines. Our rights to use these bases do not expire until 1991. It is difficult to understand under any circumstances why we should negotiate a new arrangement now, but if we are going to do so, I believe we must seriously consider the alternative of closing our Philippine facilities.

**REORGANIZATION: MUCH MORE
THAN MOVING BOXES**

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, as the Carter administration strives to reorganize the Federal Government in order to improve its efficiency and econ-

omy, it will have no stronger ally than our colleague, Jack Brooks.

Jack has been fighting for those objectives for many years. As chairman of the House Committee on Government Operations, he can be expected to assist the new administration significantly in its reorganization plans.

Yet, Chairman Brooks knows very well that simply rearranging the structure of the government cannot by itself produce all of the improvement to which the people of this Nation are entitled. It will also require greatly strengthened management, and a willingness to follow sound policies regardless of past priorities.

Fortunately, the Carter administration has displayed a determination to give a fresh look at the old ways of running our Government. In reforming governmental forms and functions, the administration's cause will be aided by a similar desire on the part of Chairman Brooks to make the government responsive to the needs of our people.

An article in the April issue of "Government Executive" describes the views of JACK BROOKS on these issues. Because of his leadership in achieving better government, I am pleased to bring the article to the attention of our colleagues:

REORGANIZATION: MUCH MORE THAN MOVING BOXES

Ask Rep. Jack Brooks (D-Tex.) anything about government reorganization and he whips out the following quote from Petronius, 210 B.C.

"We trained hard . . . but it seemed that every time we were beginning to form up into teams we would be reorganized . . . I was to learn later in life that we tend to meet any new situation by reorganizing and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency and demoralization."

It would be a mistake to read into that quote any firm opinion on the merits of any reorganization plan by Jack Brooks as Chairman of the House Government Operations Committee. What it best illustrates is his deep skepticism that shifting functions, coordinating offices and moving boxes around on a chart basically means improvement.

"Waste and inefficiency in government can more often be traced to poor management than to improper objectives. Reorganization will not solve this problem and the reorganization efforts will fail in their objectives unless accompanied by management improvements in all agencies from the Office of Management and Budget (OMB) on down," says Brooks.

He goes a bit deeper. The areas that need attention, in his mind, include management information systems, budgeting, personnel policies procurement, program evaluation, fraud and abuse control, to name a few.

Jack Brooks was first elected to Congress in 1952 when he was 29. When he came to Washington he caught the attention and became a close friend of Sam Rayburn, who admired his capacity for hard work and his potential for leadership. Brooks has been a friend and supporter of all Democratic Presidents since Truman as well as an all-out opponent of Richard Nixon, the man and his principles from the time he first met him.

He is an ardent Labor supporter who continues to maintain his union membership.

He was among the first deep south Congressmen to support Civil Rights. His political philosophy favors programs aimed at poverty, ignorance and disease. He is a strong advocate of proposals that increase the standard of living and the employment po-

tential of the working man. In summary, he has the unblemished credentials of a Liberal Democrat.

After 26 years service, stacked on top of two terms in the Texas Legislature (while he attended law school following overseas Marine duty in World War II), Brooks is a "power" in the House. He is chairman of the House Committee on Government Operations and its subcommittee on Defence and Legislation, and a ranking member of House Judiciary. He alternates the Chairmanship of the Joint Committee on Congressional Operations and also serves as permanent chairman of the Commission on Information and Facilities.

ALWAYS DECISIVE

Seniority may explain his ranking status on Judiciary and Chairmanship of Government Operations.

It does not account for his other leadership positions or the role he plays in those facets of the legislative process that fall within his areas of expertise, interest or jurisdiction. By temperament and experience he is an expert in the complex arts of the legislator and the politician which, in practical terms, are inseparable.

Brooks is probably not afraid of anything—least of all, making a decision or taking a position on a controversial issue. But he is not an abstract idealist. He refuses to tilt at windmills and he works hard, very hard, in preparing himself for the decisions he must make and defending the positions he feels he must take. In an arena where decisiveness and doing one's homework are not common virtues, Brooks stands out, in the eyes of those who know him, as a real tiger.

Tigers are often very difficult to understand and Brooks is no exception. He does not fit the image of the stereotype of the TV or Hollywood version of what a Congressman is supposed to be. He leaves few people neutral and, it was said, during his early years in Congress, because of his vigorous and decisive approach that Brooks had the respect of his colleagues but that he might not win a popularity contest. His approach to the duties of Congressman and Committee Chairman is made more difficult to understand by an almost automatic negative reaction to pressure of any kind.

As a born politician, Brooks knows, as Lyndon Johnson preached, that legislation is the art of the possible. He also knows that, at least to some degree, you must go along to get along. These are facts of life in any legislative environment where your most ardent rival on one issue may be your most dedicated supporter on another.

Brooks has a highly cultivated capacity for keeping issues separated. He bends some, but Brooks is about as hard as one can be in disposing of matters falling within his area of responsibility. Regardless of the magnitude of the issue, or who is involved.

For twenty years, as Chairman of a Government Operations Subcommittee, with jurisdiction over the disposal of surplus property, Brooks personally reviewed every negotiated sale of surplus government real estate. If the price and conditions of sale were not what he considered reasonable, he would object to the sale—and the objections would stand regardless of whose District the lands was located or who intervened.

Over the years this brought a steady flow of high priced lawyers and former White House aides to his office. Yet, the records will not indicate a single instance in which they prevailed. During this period he had only one loss.

DOLLAR WATCHER

As a result of these indepth reviews Brooks, by himself, improved the disposal program with a sizeable increase in the return the Government obtained from these sales. And, if the purchaser is a unit of state or local Government he would, if necessary, also watch out for the local citizens.

In the sale of the Brooklyn Navy Yard, for example, he found that the City knowingly was paying for ten acres of the Yard that reverted to the City under an 1801 deed when the property was "no longer utilized for defense purposes."

In examining a proposal to sell the Government's interest in a Grumman Aircraft plant on Long Island, it was found that the Government had an option that, under certain conditions, would allow the Government to purchase a large area of the Grumman plant at the pre-war purchase price. When a large Government contractor refused to pay the appraised value of a plant constructed on corporate land—a unique situation where there the corporation was the potential buyer, Brooks suggested that it was poor taste to try to put the Government over the barrel, and that the Government, as well as the contractor, might play this game in future defense procurements.

As a GSA official once commented, "We finally got to the point that we would tell prospective purchasers that we would not accept anything less than the appraised fair market value. It would be a waste of time because Jack Brooks would object."

In broader, more important issues the Chairman projects this same philosophy. If he believes he is right, then he is willing to fight. Brooks himself probably describes his attitude best when he says in his own colorful fashion, "If necessary I'll fight with the Devil, and though I might not win, all the blood on the floor won't be mine."

ONE BOSS

It is an oft-stated opinion that the Congressional staffs really run the Hill. That might be true in some cases. But Brooks, basically, probably would prefer to operate without any staff at all. Those who work for him are never allowed to forget who was elected, who has the responsibility and who is in control.

He expects total preparation by his staff on all legislative subjects of concern to him—and his staff members can disagree with him. But they had better be well prepared or they quickly lose their audience.

Oddly enough he is not arrogant and not difficult to deal with. And this stems from a well-developed sense of fairness.

He has a history of doing his homework. He is invariably well prepared in committee hearings and those that face him from the Carter Administration in proposing any sort of a reorganization plan would be well advised to be equally prepared on the subjects at issue.

His historic clashes with the Federal Aviation Agency in the 1960's (he invariably knew more than those facing him) and his consummate skill in making the now famous Brooks Bill law are examples of his legislative ability.

There are many others. Yet, in spite of his constant involvement with so many elements of the government, his first priority has always been his District—he responds swiftly to the needs and demands of his constituents.

It is almost uncanny that a President who made improving the Federal Government's efficiency a top priority in his campaign, and after he was elected, should face a Congressman who has spent more than twenty years working the same problem.

Those years taught Brooks a great deal and he has forgotten nothing. "You cannot force good management from Congress onto the Executive," he says, "what you do is give those people the proper tools and some suggestions then pray for their success."

It is Brooks' contention that if there is any management in the Office of Management and Budget, then it has been the best kept secret in Washington. Easily one of the most perplexing aspects of government operations to Brooks has been the continuing fall-

ure of OMB to fulfill its statutory responsibilities in the improvement of agency operations.

If the President and his principal and immediate staff ignore obvious management problems, then Congress is left with only the most brute force remedies.

STRUCTURED SYSTEM

Brooks has evolved a program—a unified concept. In essence it consists of the following elements:

Internal audit or inspector general systems in each department and agency—especially the larger ones.

A viable management program in OMB or the Executive Office of the President.

A program in the General Accounting Office that is tied into the Internal audit or inspector general activities at the department or agency level.

Continuing overview of this structured management improvement program by the House and Senate Government Operations Committees.

The internal audit or inspector general system Brooks had in mind was modeled after a set of criteria the Comptroller General developed in 1957. The idea was that the Department or agency head have an independent unit reporting directly to him, without limit on its jurisdiction, that would work on a constant basis to identify, investigate, and report problem areas of waste and inefficiency.

As Brooks visualizes the concept, the unit would be protected from reprisal and hopefully would develop a "jugular vein" instinct in ferreting out waste and inefficiency.

ONE GOOD MANAGER

But Jack Brooks is optimistic about what the Carter Administration can do in improving government. Yet he is definitely cautious about reorganization.

"Look what (HEW Secretary Joseph A.) Califano is doing. He needed no legislation. This kind of managerial reorganization is periodically needed. It does not abolish programs or change statutes but simply makes a big department more manageable so it can deliver its services more efficiently," says Brooks.

A former member of his staff tells of a tribute paid Brooks many years ago. Congressman William Dawson, a man of great compassion, wisdom and experience, the first black member of the Congress since the Reconstruction, was chairman of the Government Operations Committee. It was his practice to interview prospective staff before they were employed by any of the Subcommittee chairmen. Brooks decided to employ an attorney he had known in the Marine Reserve as an Associate Counsel for his Government Activities Subcommittee. An interview with Chairman Dawson was arranged.

After a conversation of about an hour it was time to leave. The Chairman, an elderly man who had lost a leg, stood up behind his desk. He then said, "Remember, if you work hard and fight for what is right you will always have my support regardless of who is involved. Fight for the people, fight for the people, fight for the people."

Then he paused—to regain his balance or possibly because he felt that he had become too emotional. He leaned forward as if to say something in confidence. The determined look on his face faded into a smile and he said quietly, "Of course, when you work for Mr. Brooks that's exactly what you will have to do."

ADMINISTRATION FARM BILL

(Mr. JOHNSON of Colorado asked and was given permission to extend his re-

marks at this point in the RECORD and to include extraneous matter.)

Mr. JOHNSON of Colorado. Mr. Speaker, on Thursday, March 24, 1977, Secretary of Agriculture Bob Bergland presented testimony to the Committee on Agriculture concerning the expiring Agriculture and Consumer Protection Act of 1973.

Since that date, the administration has sent draft language to implement those recommendations.

To date, no Member of the House has chosen to introduce these legislative provisions in bill form.

The committee, however, is using this language in its consideration of new legislation, and there is obviously a great interest in the specific provisions advocated by the administration.

I, therefore, include in the RECORD at this point the complete text of the administration farm bill sent to the committee on March 30, 1977:

H.R. —

A bill to establish more responsive programs for the benefit of farmers and consumers of farm products; to extend and improve the programs conducted under the Agricultural Trade Development and Assistance Act of 1954, as amended; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1977."

TITLE I—PAYMENT LIMITATION FOR WHEAT, FEED GRAINS, SOYBEANS, RICE, UPLAND COTTON AND EXTRA LONG STAPLE COTTON

SEC. 101. Effective only with respect to the 1978, 1979, 1980, and 1981 crops, section 101 (1) of the Agricultural Act of 1970, as amended, is amended by striking out Titles "IV, V, and VI of this Act" and inserting in lieu thereof "Title IV of the Agricultural Act of 1977"; by striking out "1974 through 1977" and inserting in lieu thereof "1978 through 1981"; and by striking out "\$20,000" and inserting in lieu thereof "\$50,000."

SEC. 102. Effective only with respect to the 1978, 1979, 1980, and 1981 crops, section 101 (2) of the Agricultural Act of 1970, as amended, is amended by inserting after the words "compensation for" the words "disaster loss" and by inserting a comma before the word "resource."

TITLE II—DAIRY AND BEEKEEPER PROGRAMS

MILK MARKETING

SEC. 201. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by striking in subparagraph (B) of subsection 8c(5) all that part of said subparagraph (B) which follows the semi-colon at the end of clause (c) and inserting in lieu thereof the following: "(d) a further adjustment to encourage seasonal adjustments in the production of milk through equitable apportionment of the total value of the milk purchased by any handler, or by all handlers, among producers on the basis of their marketings of milk during a representative period of time, which need not be limited to one year; and (e) a provision providing for the accumulation and disbursement of a fund to encourage seasonal adjustments in the production of milk may be included in an order."

SEC. 202. The Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by striking the period at the end of subsection 8c(17) and

adding in lieu thereof the following: "Providing further, That if one-third or more of the producers as defined in a milk order apply in writing for a hearing on a proposed amendment of such order, the Secretary shall call for such a hearing if the proposed amendment is one that may legally be made to such order. Subsection (12) of this section shall not be construed to permit any cooperative to act for its members in an application for a hearing under the foregoing proviso and nothing in such proviso shall be construed to preclude the Secretary from calling an amendment hearing as provided in subsection (3) of this section. The Secretary shall not be required to call a hearing on any proposed amendment to an order in response to an application for a hearing on such proposed amendment if the application requesting the hearing is received by the Secretary within ninety days after the date on which the Secretary has announced his decision on a previously proposed amendment to such order and the two proposed amendments are essentially the same."

SEC. 203. The Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by inserting after the phrase "pure and wholesome milk" in section 8c(18) the phrase "to meet current needs and further to assure a level of farm income adequate to maintain production capacity sufficient to meet anticipated future needs."

TRANSFER OF DAIRY PRODUCTS TO THE MILITARY AND VETERANS HOSPITALS

SEC. 204. Section 202 of the Agricultural Act of 1949, as amended, is amended by changing "1977" to "1981" at both places it appears therein.

DAIRY INDEMNITY PROGRAM

SEC. 205. Section 3 of the Act of August 13, 1968 (Public Law 90-484; 82 Stat. 750), as amended, is amended by striking out "1977" and inserting in lieu thereof "1981."

BEEKEEPER INDEMNITY PROGRAM

SEC. 206. Section 804(f) of the Agricultural Act of 1970, as amended, is amended by striking out "1977" and inserting in lieu thereof "1981."

TITLE III—WOOL

SEC. 301. Section 702 of the National Wool Act of 1954, as amended, is amended to read as follows:

"SEC. 702. It is hereby recognized that wool is a commodity which is not produced in quantities and grades in the United States to meet the domestic needs and that the desired domestic production of wool is impaired by the depressing effects of wide fluctuations in the price of wool in the world markets. It is hereby declared to be the policy of Congress in promotion of the economic welfare, to encourage the annual domestic production of wool by supporting market prices at levels which are fair to both producers and consumers in a manner which will have the least adverse effects upon foreign trade."

SEC. 302. Section 703 of the National Wool Act of 1954, as amended, is amended to read as follows:

"SEC. 703. (a) The Secretary of Agriculture shall, through the Commodity Credit Corporation, support the prices of wool and mohair, respectively, to the producers thereof by means of loans, purchases, payments, or other operations. Such price support shall be limited to wool and mohair marketed during the period beginning January 1, 1978, and ending December 31, 1981.

"(b) The support price for shorn wool for the 1978 and each subsequent marketing year shall be at a level the Secretary determines will be fair and reasonable, after taking into consideration the prices of certain types of foreign produced wool, other major fibers used in the textile industry and other fac-

tors: *Provided*, however, That such support level shall not be less than 75 cents or more than \$1.00 per pound, grease basis.

"(c) The support price for mohair shall be established at such levels, in relationship to the support price for shorn wool, as the Secretary determines will be fair and equitable. The Secretary is authorized to support the price of pulled wool at such level and under such terms and conditions as he determines necessary to maintain normal marketing practices for pulled wool.

"(d) The Secretary shall, to the extent practicable, announce the support price levels for wool and mohair sufficiently in advance of each marketing year as will permit producers to plan their production for such marketing year."

SEC. 303. Section 704 of the National Wool Act of 1954, as amended, is amended to read as follows:

"SEC. 704. If payments are utilized as a means of price support, the payments shall be such as the Secretary of Agriculture determines to be sufficient, when added to the national average price received by producers, to give producers a national average return for the commodity equal to the support price level therefor. The payments shall be made upon wool and mohair marketed by the producers thereof. The payments shall be at such rates for the marketing year or periods thereof as the Secretary determines will return to producers the level of price support herein provided. No payment need be made to any one or all producers if the Secretary determines that the amount of the payment is too small to justify the cost of making such payments. The Secretary may make the payment to producers through the marketing agency to or through which the producer marketed his wool or mohair: *Provided*, That such marketing agency agrees to receive and promptly distribute the payments on behalf of such producers. In case any person who is entitled to any such payment dies, becomes incompetent, or disappears before receiving such payment, or is succeeded by another who renders or completes the required performance, the payment shall, without regard to any other provisions of law, be made as the Secretary may determine to be fair and reasonable in all the circumstances and provided by regulations."

TITLE IV—WHEAT, FEED GRAINS, SOYBEANS, RICE, UPLAND AND EXTRA LONG STAPLE COTTON

PRICE SUPPORT LOANS AND PURCHASES

SEC. 401. Effective only with respect to the 1978, 1979, 1980 and 1981 crops of wheat, feed grains, soybeans, rice, upland and extra long staple cotton, the Agricultural Act of 1949, as amended, is amended to add a new section 108 which reads as follows:

"SEC. 108. Notwithstanding any other provision of law—

"(a) The Secretary shall make available to producers loans and purchases on each crop of wheat at such level, not less than \$2.25 per bushel nor in excess of the cost of production of such crop as the Secretary determines will maintain its competitive relationship to other grains in domestic and export markets.

"(b) The Secretary shall make available to producers loans and purchases on each crop of corn, sorghum, oats, and barley, respectively, at the same level as the Secretary determines for wheat adjusted in such manner he finds fair and reasonable to maintain their competitive relationship to wheat, corn and each other in domestic and export markets.

"(c) If the average price of grain (wheat, corn, oats, barley, and sorghum), weighted on a poundage basis, received by producers in any marketing year is not more than 105 per centum of the minimum level of support for wheat, the Secretary shall reduce the minimum level of support for wheat not more than five per centum for the next marketing

years and appropriately adjust the levels of support for corn, sorghum, oats, and barley to maintain their competitive relationships to wheat and to each other in domestic and export markets: *Provided*, That if the average price of grain (wheat, corn, oats, barley, and sorghum), weighted on a poundage basis, in any marketing year thereafter is more than 105 per centum of the level of support for wheat, the Secretary shall increase the minimum level of support for wheat not more than 5 per centum for the next marketing year and appropriately adjust the levels of support for corn, sorghum, oats, and barley to maintain their competitive relationships to wheat and to each other in domestic and export markets.

"(d) The Secretary shall make available to producers loans and purchases on each crop of soybeans at such level as he determines appropriate in relation to competing commodities and taking into consideration domestic and foreign supply and demand factors.

"(e) The Secretary shall make available to producers loans and purchases on each crop of rice at such level, not less than \$6.19 per hundredweight nor in excess of the cost of production of such crop determined in accordance with section 109(a) of this Act, as the Secretary determines will maintain its competitive relationship in domestic and export markets.

"(f) The Secretary shall, upon presentation of warehouse receipts reflecting accrued storage charges of not more than 60 days, make available to producers loans on each crop of upland cotton at such level as will reflect Strict Low Middling one and one-sixteenth inch cotton (micronaire 3.5 through 4.9) at average location in the United States the smaller of (1) 85 per centum of the average price (weighted by market and month) of Strict Low Middling one and one-sixteenth inches cotton (micronaire 3.5 through 4.9) as quoted in the designated United States spot markets during the preceding four marketing years, (2) 90 per centum of a price (adjusted as provided in this subsection) determined by averaging the daily average price quotations of the five lowest priced of ten growths of Strict Middling one and one-sixteenth inch cotton, c.i.f. Northern Europe for the first two full weeks of the month of October of the calendar year preceding the marketing year for such crop. Such price shall be adjusted downward by the difference between the average of the c.i.f. Northern European daily average price quotations referred to in this subsection for the period April 15 through October 15 of each year and the average of United States spot market quotations for Strict Low Middling one and one-sixteenth inch cotton (micronaire 3.5 through 4.9) for the same period. The loan level for any crop of cotton shall be determined and announced not later than November 1 of the calendar year preceding the marketing year for which such loan is to be effective, and such level shall not thereafter be changed. Loans provided for in this subsection shall be made available to producers for a term of not less than 10 months from the first day of the month in which the loans are made: *Provided*, That the Secretary may offer producers extensions of such loans on such terms and conditions as he may prescribe if he determines such extensions to be appropriate taking into consideration the domestic and foreign supply and demand for cotton.

"(g) The Secretary shall make available to producers loans and purchases on each crop of extra long staple cotton on the same terms and conditions as on upland cotton, at such levels as he determines will maintain its competitive relationship to upland cotton but at not less than 50 per centum nor more than 100 per centum in excess of the loan level established for upland cotton.

For purposes of this Act, extra long staple cotton means any cotton which is produced from pure strain varieties of the Barbados species, or any hybrid thereof, or other similar types of extra long staple cotton designated by the Secretary having characteristics needed for various end uses for which American upland cotton is not suitable and which is ginned on a roller-type gin."

INCOME SUPPORT AND DISASTER PAYMENTS

SEC. 402. Effective only with respect to the 1978, 1979, 1980 and 1981 crops of wheat, feed grains, soybeans, rice, upland cotton and extra long staple cotton, the Agricultural Act of 1949, as amended, is amended to add a new section 109 which reads as follows:

"SEC. 109(a). For each crop of wheat, corn, sorghum, oats, barley, rice, upland cotton and, if designated by the Secretary soybeans, the Secretary shall determine income support levels. The income support level for 1978 for each of such crops shall be equal to the two-year average per unit cost of production. The cost of production for each of such years shall be determined by the Secretary on the basis of such information and data as he finds necessary and appropriate for the purpose and shall be limited to: (i) variable costs; (ii) machinery ownership costs; (iii) general farm overhead costs allocated to the crops involved on the basis of the proportion of the value of the total production derived from each crop; (iv) management charges allocated to the crops involved on the basis of the portion of the value of total production derived from each crop; and (v) land charges calculated as 1½ percent of the current average price of land for agricultural purposes. The income support level for each of such crops shall be determined for subsequent crop years by adding the average of variable costs, machinery ownership costs, and general farm overhead costs for the last two full years for which data are available to the two-year average of management charges and land charges determined by the Secretary in accordance with items (iv) and (v) of this subsection for 1978. The income support level for extra long staple cotton for each of the crop years 1978, 1979, 1980 and 1981 shall be at such level as the Secretary determines but at not less than 50 per centum or more than 100 per centum in excess of the income support level established for upland cotton.

"(b) If the income support level determined for any such crops in accordance with subsection (a) of this section is more than the season average price of such crop for the marketing year, as determined by the Secretary, the Secretary shall make income support payments available to producers of any such crop computed by multiplying: (i) the individual farm income support program acreage for the crop involved determined by the Secretary for the farm in accordance with subsection (c) of this section; times (ii) the farm program payment yield for the crop involved established by the Secretary for the farm in accordance with subsection (d) of this section; times (iii) the income support payment rate for the crop determined by the Secretary in accordance with subsection (e) of this section.

"(c) (1) In the event an income support payment is required for any such crop under subsection (b) of this section, the Secretary shall determine a national income support program acreage for such crop. The national income support program acreage for such crop shall be the number of harvested acres the Secretary determines (on the basis of the weighted national average of the farm program payment yields for the crop for which the determination is made) will produce the quantity (less imports) that he estimates will be utilized domestically and for export during the marketing year for such crop. If the Secretary determines that carryover stocks of any one or more of such crops are excessive or an in-

crease in stocks is needed to assure desirable carryover for any one or more of such crops, he may adjust the national income support program acreage for the crop or crops involved by the amount he determines will accomplish the desired increase or decrease in carryover stocks.

(2) The Secretary shall determine a farm income support program allocation factor for each of such crops. The allocation factor (not to exceed 100 per centum) shall be determined by dividing the national income support program acreage for each of such crops by the number of acres which the Secretary estimates will be harvested for each of such crops.

(3) The individual farm income support program acreage for each of such crops shall be determined by multiplying the allocation percentage by the acreage of wheat, corn, sorghum, oats, barley, rice, upland cotton, extra long staple cotton, and, if designated by the Secretary, soybeans, as the case may be, planted for harvest on the farms for which an individual farm income support program acreage is required to be determined.

"(d) The farm program payment yield for each of such crops shall be the yield established for the farm for each of such crops for the previous crop year for program purposes adjusted by the Secretary to provide a fair and equitable yield for each of such crops for the farm. If no farm program payment yield for any one or more of such crops has been established for the farm in previous years, the Secretary is authorized to determine such yields as he finds fair and reasonable. If the Secretary determines it necessary, he may establish national, State or county program payment yields for any one or more of such crops on the basis of historical yields, as adjusted by the Secretary to correct for abnormal factors affecting such yields in the historical period, or, if such data is not available, on his estimate of actual yields for the crop and year involved. In the event national, State or county program payment yields are established, the farm program payment yields shall balance to the national, State or county program payment yields.

"(e) The income support payment rate for each of such crops shall be the income support level determined under subsection (a) of this section for each of such crops for the crop year involved minus the season average price received by farmers for each of such crops for the marketing year for which the rate is being determined. The Secretary is authorized to determine the season average prices received by farmers for each of such crops on the basis of such market data and information as he finds necessary and appropriate for the purpose. The total quantity on which income support payment is due a producer for any of such crops shall be reduced by the quantity on which any disaster payments are paid to such producer for the same crop in the same crop year.

"(f) Notwithstanding any other provision of this Act, effective only with respect to the 1978 crop, if the Secretary determines that because of drought, flood, or other natural disaster, or other conditions beyond the control of the producers, the total quantity of wheat, corn, sorghum, barley, rice, upland cotton or extra long staple cotton which the producers are able to harvest on any farm is less than the result of multiplying 75 per centum of the farm program payment yield established by the Secretary for the farm for such crop on the farm during the current year times the acreage planted to harvest for such crop in such year, the Secretary shall make a farm disaster payment at a rate equal to 33½ per centum of the income support level for the crop to the producers of such crop for the deficiency in production below 75 per centum for the crop."

SET ASIDE AND DIVERSION PROGRAMS

SEC. 403. Effective only with respect to the 1978, 1979, 1980 and 1981 crops of wheat, feed grains, soybeans, rice, upland cotton and extra long staple cotton, the Agricultural Act of 1949, as amended, is amended to add a new section 110 which reads as follows:

"Sec. 110(a) The Secretary shall provide for a set-aside of cropland if he determines that the total supply of either wheat, corn, sorghum, oats, barley, rice, upland cotton, extra long staple cotton, and, if designated by the Secretary, soybeans, will in the absence of such set-aside likely be excessive taking into account need for an adequate carryover to maintain reasonable and stable supplies and prices of such crops and to meet a national emergency. If a set-aside of cropland is in effect under this subsection (a) for one or more of the foregoing crops, then as a condition of eligibility for loans, purchases and payments on such crops, the producers on a farm must set aside and devote to conservation uses an acreage of cropland equal to a specified percentage, as determined by the Secretary, of the acreage (i) planted to such crops (including any set-aside or diverted acreage) in the preceding crop year, as adjusted by the Secretary to correct for abnormal factors affecting such acreage in the preceding year, or (ii) planted to such crop in the current crop year. The Secretary may limit the acreage planted to one or more of the crops of wheat, corn, sorghum, oats, barley, rice, upland cotton, or extra long staple cotton, and, if designated by the Secretary, soybeans. The set-aside shall be devoted to conservation uses in accordance with regulations issued by the Secretary which will assure protection of such acreage from wind and water erosion throughout the current calendar year. The Secretary may permit producers to graze or harvest hay from the set-aside acreage.

"(b) The Secretary may make land diversion payments to producers of wheat, corn, sorghum, oats, barley, rice, upland cotton, or extra long staple cotton, and, if designated by the Secretary, soybeans, whether or not a set-aside for any such crop is in effect, if he determines that such land diversion payments are necessary to assist, in adjusting the total national acreage of any such commodity to desirable goals. Such land diversion payments shall be made to producers on a farm who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in accordance with land diversion contracts entered into by the Secretary with such producers. The amounts payable to producers under any such land diversion contracts may be determined through the submission of bids for such contracts by producers in such manner as the Secretary may prescribe or through such other means as the Secretary determines appropriate. In determining the acceptability of contract offers the Secretary shall take into consideration the extent of the diversion to be undertaken by the producers and the productivity of the acreage diverted. The Secretary shall limit the total acreage to be diverted under agreements in any county or local community so as not to adversely affect the economy of the county or local community."

MISCELLANEOUS PROVISIONS

SEC. 404. Effective only with respect to the 1978, 1979, 1980 and 1981 crops of wheat, feed grains, soybeans, rice, upland cotton, and extra long staple cotton, the Agricultural Act of 1949, as amended, is amended to add a new section 111 which reads as follows:

"Sec. 111(a) The Secretary shall provide for the sharing of payments under this Act among producers on a farm on a fair and equitable basis.

"(b) In any case in which the failure of a producer to comply fully with the terms and conditions of the program formulated

under this Act precludes the making of loans, purchases, and payments, the Secretary may, nevertheless, make such loans, purchases, and payments in such amounts as he determines to be equitable in relation to the seriousness of the default.

"(c) The Secretary is authorized to issue such regulations as he determines necessary to carry out the provisions of this Act.

"(d) The Secretary shall carry out the program authorized by this Act through the Commodity Credit Corporation.

"(e) The provisions of subsection 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (relating to assignment of payments) shall apply to any payments under this Act.

CONFORMING AMENDMENTS

SEC. 405. Sections 101(f), 103, 105 and 107 of the Agricultural Act of 1949, as amended, shall not be applicable to the 1978, 1979, 1980 and 1981 crops of upland cotton, extra long staple cotton, feed grains and wheat.

SEC. 406. Sections 331 through 336, 338 through 339, and 379(b) through 379(j) of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable to the 1978, 1979, 1980 and 1981 crops of wheat.

SEC. 407. Public Law 74, Seventy-seventh Congress (55 Stat. 203), shall not be applicable to the 1978, 1979, 1980 and 1981 crops of wheat.

SEC. 408. Sections 341 through 347 of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable to the 1978, 1979, 1980 and 1981 crops of upland cotton and extra long staple cotton.

SEC. 409. Sections 351 through 356 of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable to the 1978, 1979, 1980 and 1981 crops of rice.

SEC. 410. Notwithstanding any other provision of law, section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1385), is further amended, effective only with respect to the 1978, 1979, 1980 and 1981 crops, to read as follows:

"Sec. 385. The facts constituting the basis for any Soil Conservation Act payment, income support payment, disaster payment, payment under a land diversion program, loan, or price support operation, or the amount thereof, when officially determined in conformity with the applicable regulations prescribed by the Secretary or Commodity Credit Corporation, shall be final and conclusive and not reviewable by any other officer or agency of the Government. In case any person who is entitled to any such payment dies, becomes incompetent, or disappears before receiving such payment, or is succeeded by another who renders or completes the required performance, the payment shall, without regard to any other provisions of law, be made as the Secretary of Agriculture may determine to be fair and reasonable in all the circumstances and provide by regulations."

SEC. 411. Notwithstanding any other provision of law, (1) section 379 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1379) shall remain applicable for reconstitution purposes for the 1977 acreage allotments for corn, wheat, sorghum, barley, rice, upland and extra long staple cotton, and (2) the permanent allotments for the 1977 crops of corn, wheat, sorghum, barley, rice, upland and extra long staple cotton, adjusted for any underplantings in 1977, shall again become effective as preliminary allotments for the 1982 crops.

SEC. 412. Notwithstanding any other provision of law, section 374(a) of the Agricultural Adjustment Act of 1938, as amended, shall be applicable to the 1978 through 1981 crops.

SEC. 413. Section 203 of the Agricultural Act of 1949, as amended, shall not be applicable to the 1978, 1979, 1980 and 1981 crops.

SEC. 414. Effective only with respect to the

1978, 1979, 1980 and 1981 crops, section 408 (k) of the Agricultural Act of 1949, as amended, is further amended to read as follows:

"Sec. 408(k). References made in sections 402, 403, 406, 407, and 416 of this Act to the terms 'support price', 'level of support', and 'level of price support' shall be considered to apply as well to the level of loans and purchases under this Act; and references made to the terms 'price support', 'price support operations', and 'price support program' in such sections and in section 401(a) of this Act shall be considered as applying as well to the loan and purchase operations under this Act."

TITLE V—PEANUTS

Sec. 501. Subsections (a) and (e) of section 358 of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable to the 1978 through 1981 crops of peanuts.

Sec. 502. Effective for the 1978 through 1981 crops of peanuts, section 358 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections at the end thereof:

"(k) The Secretary shall, not later than December 1 of each year, announce a national acreage allotment for peanuts for the following crop taking into consideration projected domestic use, exports, and a reasonable carryover: *Provided*, That such allotment shall be not less than one million six hundred and ten thousand acres.

(1) The Secretary shall, not later than December 1 of each year, announce a minimum national poundage quota for peanuts for the following marketing year of the following amounts:

Year:	Tons
1978	1,680,000
1979	1,596,000
1980	1,516,000
1981	1,440,000

If the Secretary determines that the minimum national poundage quota for any marketing year is insufficient to meet total estimated requirements for domestic edible use and a reasonable carryover, the national poundage quota for the marketing year may be increased by the Secretary to the extent determined by the Secretary to be necessary to meet such requirements.

"(m) For each farm for which a farm acreage allotment has been established, a farm yield for peanuts shall be determined equal to the average of the actual yield per acre on the farm for each of the three crop years in which yields were highest on the farm out of the five crop years 1973 through 1977: *Provided*, That if peanuts were not produced on the farm in at least three years during such five-year period or there was a substantial change in the operation of the farm during such period, the Secretary shall have a yield appraised for the farm. The appraised yield shall be that amount determined to be fair and reasonable on the basis of yields established for similar farms which are located in the area of the farm and on which peanuts were produced taking into consideration land, labor, and equipment available for the production of peanuts, crop rotation practices, soil and water, and other relevant factors.

"(n) For each farm, a farm base production poundage shall be established equal to the quantity determined by multiplying the farm peanut acreage allotment by the farm yield determined in accordance with subsection (m) of this section.

"(o) For each farm, a farm poundage quota shall be established by the Secretary for each marketing year equal to the farm base production poundage multiplied by a factor determined by the Secretary such that the total of all farm poundage quotas will

equal the national poundage quota for such marketing year.

"(p) For the purposes of this title—

"(1) 'quota peanuts' means, for any marketing year, any peanuts which are eligible for domestic edible use as determined by the Secretary, which are marketed or considered marketed from a farm, and which do not exceed the farm poundage quota of such farm for such year;

"(2) 'additional peanuts' means, for any marketing year, any peanuts which are marketed from a farm and which are in excess of the marketings of quota peanuts from such farm for such year but not in excess of the actual production of the farm acreage allotment; and

"(3) 'crushing' means the processing of peanuts to extract oil for food uses and meal for feed uses, or the processing of peanuts by crushing or otherwise when authorized by the Secretary.

"(4) 'domestic edible use' means use for milling to produce domestic food peanuts and seed and use on a farm."

Sec. 503. Effective for the 1978 through 1981 crops of peanuts, section 358a of the Agricultural Adjustment Act of 1938, as amended, is amended by (1) striking out "in the same county" in subsection (a), (2) amending item (1) in subsection (b) to read: "(1) an allotment shall be transferred only to a farm in the same county or an adjoining county in the same state", and (3) adding at the end thereof the following new subsection:

"(1) Notwithstanding any other provision of this section, transfers shall be on the basis of the farm base production poundage, and the acreage allotment for the receiving farm shall be increased by an amount determined by dividing the number of pounds transferred by the farm yield for the receiving farm, and the acreage allotment for the transferring farm shall be reduced by an amount determined by dividing the number of pounds transferred by the farm yield for the transferring farm."

Sec. 504. Effective for the 1978 through 1981 crops of peanuts, section 359 of the Agricultural Adjustment Act of 1938, as amended, is amended by—

(1) deleting from the first sentence of subsection (a) the language "75 per centum of the support price for" and inserting in lieu thereof the language "the support price for quota";

(2) inserting after the first sentence of subsection (a) the following new sentence: "The marketing of any additional peanuts from a farm shall be subject to the same penalty unless the peanuts, in accordance with regulations established by the Secretary, are placed under loan at the additional loan rate under the loan program made available under section 112(b) of the Agricultural Act of 1949 and not redeemed by the producers or are marketed under contracts between handlers and producers pursuant to the provisions of subsection (j) of this section"; and

(3) adding at the end thereof the following new subsections:

"(g) Only quota peanuts may be retained for use as seed or for other uses on a farm and when so retained shall be considered as marketings of quota peanuts. Additional peanuts shall not be retained for use on a farm and shall not be marketed for domestic edible use. Seed for planting of any peanut acreage in the United States shall be obtained solely from quota peanuts marketed or considered marketed for domestic edible use.

"(h) Upon a finding by the Secretary that the peanuts marketed from any crop for domestic edible use by a handler are larger in quantity or higher in grade or quality

than the peanuts that could reasonably be produced from the quantity of peanuts having the grade, kernel content, and quality of the quota peanuts acquired by such handler from such crop for such marketing, such handler shall be subject to a penalty equal to the loan level for quota peanuts on the peanuts which the Secretary determines are in excess of the quantity, grade, or quality of the peanuts that could reasonably have been produced from the peanuts so acquired.

"(i) The Secretary shall require that the handling and disposal of additional peanuts be supervised by agents of the Secretary or by area marketing associations designated pursuant to section 112(c) of the Agricultural Act of 1949. Quota and additional peanuts of like type and segregation or quality may, under regulations prescribed by the Secretary, be commingled and exchanged on a dollar value basis to facilitate warehousing, handling, and marketing.

"(j) Handlers may, under regulations prescribed by the Secretary, contract with producers for the purchase of additional peanuts for crushing, export, or both. All such contracts shall be completed and submitted to the Secretary (or if designated by the Secretary, the area association) for approval prior to June 15 of the year in which the crop is produced.

"(k) Subject to the provisions of Section 407 of the Agricultural Act of 1949, as amended, any peanuts owned or controlled by the Commodity Credit Corporation may be made available for domestic edible use in accordance with regulations established by the Secretary."

Sec. 505. Effective for the 1978 through 1981 crops of peanuts, the first sentence of section 373(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting immediately before "all brokers and dealers in peanuts" the following: "all farmers engaged in the production of peanuts."

Sec. 506. Effective for the 1978 through 1981 crops of peanuts, title I of the Agricultural Act of 1949, as amended, is amended by adding the following new section which reads as follows:

"PEANUT PROGRAM

"Sec. 112. Notwithstanding any other provision of law—

"(a) The Secretary shall make price support available to producers through loans, purchases, or other operations on quota peanuts of each of the following crops such levels as the Secretary finds appropriate taking into consideration the eight factors specified in section 401(b) of this Act, but at not less than the following support levels per ton:

1978	\$390
1979	375
1980	360
1981	345

"(b) The Secretary shall make price support available to producers through loans, purchases or other operations on additional peanuts of each of the 1978 through 1981 crops. In determining support levels, the Secretary shall take into consideration the demand for peanut oil and peanut meal, expected prices of other vegetable oils and protein meals, and the demand for peanuts in foreign markets.

"(c) In carrying out subsections (a) and (b) of this section, the Secretary may make warehouse storage loans available in each of the three producing areas (described in 7 CFR part 1446, section 1446.4 of the General Regulations Governing 1974 and Subsequent Crop Peanut Warehouse Storage Loans published by Commodity Credit Corporation) to a designated area marketing association of peanut producers which is selected and

approved by the Secretary and which is operated primarily for the purpose of conducting such loan activities. Such associations may be used in administrative and supervisory activities relating to price support and marketing activities under this section and section 359 of the Agricultural Adjustment Act of 1938. Such loans shall include, in addition to the price support value of the peanuts, such costs as such association may reasonably incur in carrying out such responsibilities in its operations and activities under this section and section 359 of the Agricultural Adjustment Act of 1938, as amended."

Sec. 507. Effective for the 1978 through 1981 crops of peanuts, section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by—

(1) striking out, "if he determines that it will not impair the effective operation of the peanut marketing quota or price support program"; and

(2) striking out "may" each place that term appears and inserting "shall" in lieu thereof.

TITLE VI—PUBLIC LAW 480

Sec. 601. Section 111 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out the first three sentences thereof and inserting in lieu thereof the following:

"Not more than 25 per centum of the food aid commodities provided under this title in each fiscal year shall be allocated and agreed to be delivered to countries other than those meeting the poverty criteria established for International Development Association financing and affected by inability to secure sufficient food for their immediate requirements through their own production or commercial purchase from abroad, unless (1) the President certifies to the Congress that the use of such food assistance is required for humanitarian food purposes and neither House of Congress disapproves such use, by resolution, within thirty calendar days after such certification, or (2) the President certifies to the Congress that the quantity of commodities which would be required to be allocated under this section to countries which meet International Development Association poverty criteria could not be used effectively to carry out the humanitarian purposes of this title. A reduction below 75 per centum in the proportion of food aid allocated and agreed to be delivered to countries meeting International Development Association poverty criteria and affected by inability to secure sufficient food for their immediate requirements through their own production or commercial purchase from abroad which results from significantly changed circumstances occurring after the initial allocation shall not constitute a violation of the requirements of this section."

Sec. 602. Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by adding at the end thereof of a new section 112 as follows:

"Sec. 112. From the sales proceeds and loan repayments under this title not less than the equivalent of 5 per centum of the total value of commodities furnished under all agreements shall be set aside and made available to the Secretary of Agriculture to finance projects, in cooperation with the Agency for International Development and with other appropriate agencies, that will aid in the use, distribution, storage, transportation, or otherwise increase foreign consumption of and markets for all United States agricultural commodities: *Provided*, That these projects are not inconsistent with the assistance program being carried out by the Agency For International Development in the particular country involved, and *Provided further*, That the Secretary of Agri-

culture may release such amounts so set aside as he determines cannot be effectively used to carry out the purposes of this section."

Sec. 603. The first sentence of section 204 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking out "\$600,000,000" and inserting in lieu thereof "\$750,000,000."

Sec. 604. Section 401 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by striking the period at the end of the last sentence thereof and inserting in lieu thereof a comma and the following: "unless the Secretary of Agriculture determines that some part of the supply thereof should be used to carry out humanitarian purposes of this Act."

Sec. 605. Section 403 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by—

(a) adding "(a)" after "Sec. 403";

(b) deleting the period at the end of the last sentence of subsection (a), as designated herein, substituting a colon therefor, and adding the following after the colon:

"*Provided*, That expenditures under this Act attributable to the financing of the ocean freight differential between United States-flag rates and foreign-flag rates, when United States-flag vessels are required to be used in accordance with the Cargo Preference Act (46 U.S.C. 1241(b)), shall be classified as expenditures for maritime purposes and the Commodity Credit Corporation shall be reimbursed for such costs from funds made available to the Department of Commerce for such purposes, for which the appropriation of necessary amounts for payment of such costs incurred or to be incurred is hereby specifically authorized."

(c) and adding the following new subsection after subsection (a):

"(b) Notwithstanding any other provision of law, in determining the reimbursement due Commodity Credit Corporation for all costs incurred in connection with Title II programs, commodities from Commodity Credit Corporation inventory, which were acquired under a domestic price support program, shall be valued at the export market price therefor, as determined by the Secretary of Agriculture, as of the time the commodity is made available under this Act."

Sec. 606. Section 409 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended by deleting "1977" and inserting in lieu thereof "1981."

REMOVING THE RECENCY-OF-WORK REQUIREMENT FOR SOCIAL SECURITY DISABILITY BENEFITS

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, during the 94th Congress I introduced legislation to eliminate the recency-of-work requirement for social security disability benefits. Under present law a worker disabled at age 31 or later must have at least 20 quarters of coverage during the 40-quarter period ending with the quarter of his or her disability in order to qualify for benefits. My proposal would retain the requirement that an individual be fully insured in order to receive benefits but eliminates any requirement that coverage be earned during a specific time period.

The 20/40 requirement arbitrarily

denies protection to those who have contributed to the social security system over a long period of time. I cannot understand the presumption that if a worker had not been paying into the trust fund immediately prior to the onset of disability, he or she would not really need the benefits. I suppose that in order to restrict outlays under the program it was felt wise to protect only those suddenly stricken with incapacitating conditions and removed from the work force.

I think it is quite obvious that 20/40 requirement discriminates against women, who frequently leave the labor force in order to raise families and care for the home and who thus have less continuous coverage under social security. I have heard this complaint several times, for example, from women in middle age who have become disabled and are not yet eligible for old-age benefits, yet are fully insured under social security. More often than not, these women left the labor force because of responsibilities at home and planned to return to work once conditions permitted. This is not to say that the problem does not affect men as well, individuals who may have been out of the country temporarily or who may have been unemployed for a period of time for one reason or another.

I am informed by the Social Security Administration that in calendar year 1975 nearly 166,000 persons were denied disability benefits on the basis of the 20/40 requirement. It is not possible to say how many of these would eventually have qualified for benefits because they were not subjected to the disability test. Unfortunately, statistics on the number of women affected by this requirement are not available.

It is particularly distressing to think of the choices that face an individual who finds that due to some obscure provision of law he or she is not protected against disability. If the individual is not able to perform any work for wages and has no protection under some private program, the only resort may be the SSI program. I think it is unconscionable that persons who are otherwise fully insured would be required to subsist on SSI simply because they had the misfortune to become disabled at a period in time after they left the work force.

Mr. Speaker, last Congress the Social Security Administration estimated that, had my bill been enacted in the 94th Congress, the resulting amount of additional benefit payments in calendar year 1977 would have been \$1.6 billion. Unfortunately, the dollar costs of providing fair and adequate protection for all Americans under social security are invariably high. But we are talking here about our responsibility to persons who, through no fault of their own, are deprived of their livelihood. We are also talking about persons who have contributed to social security, many of them for long periods of time, through their own hard-earned dollars and who have a right to expect to be protected.

I am pleased to have the opportunity to again introduce this bill and hope it will receive favorable consideration this Congress. The text of the bill follows:

H.R. 6275

A bill to amend title II of the Social Security Act to provide that any fully insured individual may qualify for disability insurance benefits and the disability freeze if he has 40 quarters of coverage, regardless of when such quarters were earned, even if he does not have 20 quarters of coverage during the 40-quarter period immediately preceding his disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 223(c)(1)(B)(i) of the Social Security Act is amended to read as follows:

"(i) he had not less than 40 quarters of coverage as of the close of the quarter in which such month occurred, or not less than 20 quarters of coverage during the 40-quarter period which ends with such quarter, or".

(b) Section 216(i)(3)(B)(i) of such Act is amended to read as follows:

"(i) he had not less than 40 quarters of coverage as of the close of such quarter, or not less than 20 quarters of coverage during the 40-quarter period which ends with such quarter, or".

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to disability determinations made, and benefits payable on the basis of disability determinations made, pursuant to applications filed on or after the date of the enactment of this Act.

NEW REVENUES SHOULD FINANCE SOCIAL SECURITY TAX CUTS, STARTUP OF NATIONAL HEALTH INSURANCE

(Mr. MOORHEAD of Pennsylvania asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, as we all know, on Wednesday President Carter will present us with his comprehensive energy proposals. I do not want to judge them in advance in any way. But I would like to call to the attention of the House that an energy program, though it inevitably will call for some sacrifice, also presents an unusual and largely unrecognized opportunity. The revenues from new energy taxes, including a gasoline tax, can be used to solve some major social and economic problems. Specifically, we have the opportunity to reduce the regressive and inflationary social security payroll tax, meet the gap in social security financing that has worried so many of our citizens, and later on to finance a system of national health insurance without raising taxes.

This House is fully aware of the troubled financial condition of our social security system. The gentleman from New York (Mr. CONABLE) has recently given us a full rundown of this situation, which is not yet an emergency but will have to be dealt with shortly. What is more, our constituents are worried, too. While some published reports on this complex matter have been alarmist and misleading, there is no doubt that many of our citizens, particularly retired citizens, are frightened.

With the new energy program, and its otherwise unpopular taxes, we have a chance to kill several birds with one stone. We can do so by the simple device of devoting the proceeds of the new en-

ergy taxes to the social security trust fund. With the revenues that now seem likely as a counterpart of the energy programs, we should be able to do the following:

First. Reduce moderately the present social security tax, which as we all know is greater for millions of workers than the income tax. This tax has moved only one way—up—and it is scheduled to rise again next year. Now we can stabilize it and even reduce it. A reduction of this payroll tax, quite apart from the fact that the tax is regressive, would have a very significant payoff on the anti-inflation front. This is because the tax on employers would be reduced along with that on workers, meaning a direct cut in labor costs.

Second. Meet the short-term gap in social security financing—meaning the gap that is emerging for the next approximately 20 years. Energy-based revenues should be readily sufficient to meet the gap and allow for a tax reduction as well.

Third. In the longer run, finance a new program of national health insurance without added taxes. Note that such a program would also have a major anti-inflation payoff because it would eliminate present employer contributions to health plans, as well as worker contributions, which show up now in deductions from the weekly or monthly paycheck.

This is not fiscal pie in the sky. We can take as an example a new gasoline tax starting at 5 cents a gallon the first year and rising to 50 cents after 10 years. Each penny of gasoline tax would raise \$1 billion in new revenues—an amount that would diminish but not vanish as consumption began to be curtailed.

The first 3 years of such a tax, with additional revenues in the third year of almost \$15 billion, would permit a reduction of a full percentage point in the combined present social security tax of 11.7 percent—a half percentage point for the worker and a half percentage point for the employer—and the start of a buildup again in the dwindling social security trust fund. Providing only that we earmarked the new taxes for the trust fund, we could solve the financing problem and cut the payroll tax as well.

In later years, the revenues could go for further payroll tax reduction or to finance health insurance. For the immediate future, the reduction in social security taxes should be made simultaneous with the gasoline tax, to ease the pain and to make sure there is no reduction in aggregate demand in the economy.

Mr. Speaker, I am prepared to introduce legislation along these lines at an appropriate time. At this stage, I believe it is important that we realize as we prepare to deliberate the energy program what a great opportunity exists—one that may do much more to slow inflation than jawboning or other Government efforts—to influence private wage and price decisions.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. AKAKA, for today and Tuesday,

April 18, on account of constituent commitments.

Mr. DEVINE (at the request of Mr. RHODES), for today and the balance of the week, on account of eye surgery.

Mr. DORNAN (at the request of Mr. RHODES), for today and Tuesday, April 19, on account of personal reasons.

Mr. FORSYTHE (at the request of Mr. RHODES), for today and until further notice, on account of surgery and recuperation.

Mr. JEFFORDS (at the request of Mr. RHODES), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STEIGER, for 60 minutes, on Wednesday, April 20, 1977, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PURSELL) and to revise and extend their remarks and include extraneous matter:)

Mr. EDWARDS of Oklahoma, for 60 minutes, April 26, 1977.

(The following Members (at the request of Mr. LEDERER) and to revise and extend their remarks and include extraneous matter:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. RODINO, for 15 minutes, today.

Mr. ASPIN, for 5 minutes, today.

Mr. DRINAN, for 30 minutes, today.

Mr. THOMPSON, for 10 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. JOHNSON of Colorado, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$1,610.

Mr. CARTER, and to include extraneous matter notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1,288.

(The following Members (at the request of Mr. PURSELL) and to include extraneous matter:)

Mr. ROBINSON.

Mr. WINN.

Mr. LUJAN.

Mr. DERWINSKI in two instances.

Mr. BURGNER.

Mr. GILMAN.

Mr. EMERY.

Mr. EVANS of Delaware.

Mr. WHITEHURST.

Mr. MICHEL.

(The following Members (at the request of Mr. LEDERER) and to include extraneous matter:)

Mr. RODINO.

Mr. ANNUNZIO in six instances.
 Mr. GONZALEZ in three instances.
 Mr. ANDERSON of California in three instances.
 Mr. BROWN of California in 10 instances.
 Mr. FRASER in five instances.
 Mr. TEAGUE in two instances.
 Mr. HARRIS.
 Mr. HAMILTON.
 Mr. LEHMAN in two instances.
 Mr. ASPIN in 10 instances.
 Mr. DENT.
 Mr. WRIGHT.
 Mr. PEASE.
 Mr. CORMAN.
 Mr. GLICKMAN.
 Mr. MINETA.
 Mr. KASTENMEIER.
 Mr. STOKES.
 Mr. McDONALD in five instances.
 Mr. OTTINGER in two instances.
 Mr. THOMPSON.
 Mr. VANIK.
 Mr. CHARLES WILSON of Texas.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 662. An act to provide for holding terms of the District Court of the United States for the Eastern Division of the Northern District of Mississippi in Corinth, Miss.; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. THOMPSON, from the Committee on House Administration, reported that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3365. An act to extend the authority for the flexible regulation of interest rates on deposits and accounts in the depository institutions; and

H.R. 5717. An act to provide for relief and rehabilitation assistance to the victims of the recent earthquakes in Romania.

ADJOURNMENT

Mr. LEDERER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 19, 1977, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1209. A letter from the Secretary of Agriculture, transmitting a report on Dutch elm disease, pursuant to section 20 of Public Law 94-582; to the Committee on Agriculture.

1210. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for 2 years; to the Committee on Agriculture.

1211. A letter from the Director, Office of Management and Budget, Executive Office

of the President, transmitting a cumulative report on rescissions and deferrals of budget authority as of April 1, 1977, pursuant to section 1014(e) of Public Law 93-344 (H. Doc. No. 95-122); to the Committee on Appropriations and ordered to be printed.

1212. A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting a report that the fiscal year 1977 appropriation to the Department of Justice for support of U.S. prisoners has been reapportioned on basis which indicates the necessity for a supplemental estimate appropriation, pursuant to section 3679(e)(2) of the Revised Statutes, as amended; to the Committee on Appropriations.

1213. A letter from the Acting Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report covering calendar year 1976 on special pay to members of the Armed Forces designated as missing in action while in or over hostile fire areas, pursuant to 37 U.S.C. 310(d); to the Committee on Armed Services.

1214. A letter from the Acting Assistant Secretary of Defense (Manpower and Reserve Affairs), transmitting a report on the adequacy of pays and allowances of the uniformed services, pursuant to 37 U.S.C. 1008(a); to the Committee on Armed Services.

1215. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of nine construction projects proposed to be undertaken by the U.S. Army Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1216. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of five construction projects proposed to be undertaken by the U.S. Air Force Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1217. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of five construction projects proposed to be undertaken by the Air National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1218. A letter from the Acting Director, Defense Civil Preparedness Agency, transmitting a report on property acquisitions of emergency supplies and equipment covering the quarter ended March 31, 1977, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1219. A letter from the Acting Administrator of General Services, transmitting the stockpile report for July-September 1976, pursuant to section 4 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

1220. A letter from the Secretary of Housing and Urban Development, transmitting an interim progress report on the energy conservation and renewable-resource demonstration program, pursuant to section 509(g) of the Housing and Urban Development Act of 1970, as amended (90 Stat. 1164); to the Committee on Banking, Finance and Urban Affairs.

1221. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on loan, guarantee and insurance transactions supported by Eximbank during February 1977 to Communist countries; to the Committee on Banking, Finance and Urban Affairs.

1222. A letter from the Chairman of the Board and President, Federal National Mortgage Association, transmitting the organiza-

tion's 1976 annual report; to the Committee on Banking, Finance and Urban Affairs.

1223. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide employment and training opportunities for youth; to the Committee on Education and Labor.

1224. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report on activities under the Runaway Youth Act, pursuant to section 315 of the act; to the Committee on Education and Labor.

1225. A letter from the Acting U.S. Commissioner of Education, Department of Health, Education, and Welfare, transmitting a proposed plan, and a timetable for its execution, for establishment of State student loan insurance programs, pursuant to section 421(c) of the Higher Education Act of 1965, as amended (90 Stat. 2100); to the Committee on Education and Labor.

1226. A letter from the Executive Secretary of the Department of Health, Education, and Welfare, transmitting proposed interim regulations governing grants to State agencies for programs to meet the special educational needs of children in institutions for neglected or delinquent children, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1227. A letter from the Assistant Administrator, Office of Planning and Management, Law Enforcement Assistance Administration, Department of Justice, transmitting the report of the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, March 1977, pursuant to section 247 of the Juvenile Justice and Delinquency Prevention Act of 1974; to the Committee on Education and Labor.

1228. A letter from the Deputy Assistant Secretary of Defense, transmitting notice of a proposed new system of records for the Department of the Army, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1229. A letter from the Executive Officer, U.S. Environmental Protection Agency, transmitting a report on the Agency's activities under the Freedom of Information Act during calendar year 1976, pursuant to 5 U.S.C. 552d; to the Committee on Government Operations.

1230. A letter from the Executive Secretary, Occupational Safety and Health Review Commission, transmitting a report on the Commission's activities under the Freedom of Information Act during calendar year 1976, pursuant to 5 U.S.C. 552d; to the Committee on Government Operations.

1231. A letter from the Comptroller General of the United States, transmitting a report on the Federal advisory committee program (GGD-76-104, April 7, 1977); to the Committee on Government Operations.

1232. A letter from the President, American Academy and Institute of Arts and Letters, transmitting a report on the activities of the National Institute of Arts and Letters during calendar year 1976, pursuant to section 4 of its charter; to the Committee on House Administration.

1233. A letter from the Acting Assistant Secretary of the Interior, transmitting notice of the receipt of project proposals under the Small Reclamation Projects Act of 1956 from the Whitney Irrigation District, Nebraska, and the Glenn-Colusa Irrigation District, California, pursuant to section 10 of the act; to the Committee on Interior and Insular Affairs.

1234. A letter from the Acting Deputy Assistant Secretary of the Interior transmitting a copy of a proposed contract with the Colorado School of Mines, Golden, Colo., for a research project entitled "Rapid Excavation of Rock With Small Charges of High Explosive," pursuant to section 1(d) of Public

Law 89-672; to the Committee on Interior and Insular Affairs.

1235. A letter from the Acting Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with the Pennsylvania State University, University Park, Pa., for a research project entitled "Solution Mining of Sedimentary Uranium Deposits," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

1236. A letter from the Chairman, Lowell Historic Canal District Commission, transmitting the Commission's report and recommendations, pursuant to section 4 of Public Law 93-645; to the Committee on Interior and Insular Affairs.

1237. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 77-13, finding that it is in the national interest to waive the exclusion of Zaire from sales under title I of the Agricultural Trade Development and Assistance Act for the purpose of selling \$15.3 million worth of agricultural products, pursuant to section 103(d)(3) of the act; to the Committee on International Relations.

1238. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of the Netherlands for permission to transfer certain U.S.-origin defense articles and services to the Government of Denmark, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on International Relations.

1239. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the proposed issuance of a license for the export of major defense equipment sold commercially to Italy (Transmittal No. MC-27-77), pursuant to section 36(c) of the Arms Export Control Act; to the Committee on International Relations.

1240. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by various Ambassadors-designate and their families, pursuant to section 6 of Public Law 93-126; to the Committee on International Relations.

1241. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by William H. Sullivan, Ambassador-designate to Iran, and Michael J. Mansfield, Ambassador-designate to Japan, and their families, pursuant to section 6 of Public Law 93-126; to the Committee on International Relations.

1242. A letter from the Administrator, Agency for International Development, Department of State, transmitting the annual report for fiscal year 1976 on military expenditures by recipients of U.S. economic assistance, pursuant to section 620(s)(2) of the Foreign Assistance Act of 1961, as amended (83 Stat. 820); to the Committee on International Relations.

1243. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to Public Law 92-403; to the Committee on International Relations.

1244. A letter from the Secretary of the Treasury, transmitting reports on foreign credits by the U.S. Government as of December 31, 1975, and June 30, 1976, pursuant to section 634(f) of the Foreign Assistance Act of 1961, as amended (87 Stat. 724); to the Committee on International Relations.

1245. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting a report on the inventory of nonpurchased foreign currencies as of September 30, 1976, pursuant to section 613(c) of the Foreign

Assistance Act of 1961, as amended; to the Committee on International Relations.

1246. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to extend provisions of title XIV of the Public Health Service Act for 2 years; to the Committee on Interstate and Foreign Commerce.

1247. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to extend provisions of the Noise Control Act of 1972, as amended, for 2 years; to the Committee on Interstate and Foreign Commerce.

1248. A letter from the Administrator, Federal Energy Administration, transmitting a report on the pricing of Alaska North Slope crude oil, pursuant to section 8(g) of the Emergency Petroleum Allocation Act of 1973, as amended (89 Stat. 945); to the Committee on Interstate and Foreign Commerce.

1249. A letter from the Administrator, Federal Energy Administration, transmitting the annual report on the energy conservation program for consumer products other than automobiles, pursuant to section 338 of the Energy Policy and Conservation Act; to the Committee on Interstate and Foreign Commerce.

1250. A letter from the Administrator, Federal Energy Administration, transmitting the annual report on the industrial energy conservation program, pursuant to section 375(c) of the Energy Policy and Conservation Act; to the Committee on Interstate and Foreign Commerce.

1251. A letter from the Acting Assistant General Counsel for International, Conservation, and Resource Development Programs, Federal Energy Administration, transmitting notice of two meetings related to the International Energy Program April 18-20 and April 19-21, 1977, in Paris, France; to the Committee on Interstate and Foreign Commerce.

1252. A letter from the Acting Director, Community Relations Service, Department of Justice, transmitting, the annual report of the Service for fiscal year 1976, pursuant to section 1004 of the Civil Rights Act of 1964; to the Committee on the Judiciary.

1253. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended (79 Stat. 915); to the Committee on the Judiciary.

1254. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, pursuant to section 212(d)(6) of the act (66 Stat. 182); to the Committee on the Judiciary.

1255. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend the Federal Rules of Criminal Procedure to provide for appellate review of sentences; to the Committee on the Judiciary.

1256. A letter from the executive director, Military Chaplains Association of the United States of America, transmitting the audit report of the Association as of December 31, 1976, pursuant to section 3 of Public Law 88-504; to the Committee on the Judiciary.

1257. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend Section 304 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, to extend the authorization of appropriation; to the Committee on Merchant Marine and Fisheries.

1258. A letter from the Administrator, Environmental Protection Agency, transmitting

a draft of proposed legislation to extend the Marine Protection, Research, and Sanctuaries Act, as amended, for 2 years; to the Committee on Merchant Marine and Fisheries.

1259. A letter from the Deputy Director, Office of Management and Budget, Executive Office of the President, transmitting a report on actions taken on the recommendations of the Advisory Committee on Federal Pay contained in its fifth annual report, dated September 14, 1976, pursuant to section 6(b) of the Federal Advisory Committee Act; to the Committee on Post Office and Civil Service.

1260. A letter from the Chairman, Commission on Postal Service, transmitting the report of the Commission, pursuant to section 7(f)(1) of Public Law 94-421; to the Committee on Post Office and Civil Service.

1261. A letter from the Secretary of Transportation, transmitting a revised estimate of the cost of completing the National System of Interstate and Defense Highways, pursuant to 23 U.S.C. 104(b)(5) (H. Doc. No. 95-123); to the Committee on Public Works and Transportation and ordered to be printed with illustrations.

1262. A letter from the Secretary of Transportation, transmitting the seventh annual report on operations under the Airport and Airway Development Act of 1970, pursuant to section 24 of the act; to the Committee on Public Works and Transportation.

1263. A letter from the Acting Assistant Secretary of the Army (Civil Works), transmitting a supplement to the first annual report recommending deauthorization of certain projects, pursuant to section 12 of Public Law 93-251 (H. Doc. No. 95-124); to the Committee on Public Works and Transportation and ordered to be printed.

1264. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation to extend certain appropriation authorizations of the Federal Water Pollution Control Act for fiscal year 1977; to the Committee on Public Works and Transportation.

1265. A letter from the Acting Administrator of General Services, transmitting a report on the building project survey for San Francisco, Calif., requested by a resolution of the House Committee on Public Works and Transportation adopted November 20, 1975; to the Committee on Public Works and Transportation.

1266. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting the report of Department of Defense procurement from small and other business firms for October-November, 1976, pursuant to section 10(d) of the Small Business Act; to the Committee on Small Business.

1267. A letter from the Administrator, U.S. Small Business Administration, transmitting volume II of the agency's 1976 annual report; to the Committee on Small Business.

1268. A letter from the Secretary of the Treasury, transmitting the 1975 annual report on the operation and effect of the domestic international sales corporation legislation, pursuant to section 506 of Public Law 92-178; to the Committee on Ways and Means.

1269. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting the 21st annual report on the financial condition and results of the operations of the highway trust fund, covering fiscal year 1976 and the transition quarter, pursuant to section 209(e)(1) of the Highway Revenue Act of 1956, as amended (H. Doc. No. 95-125); to the Committee on Ways and Means and ordered to be printed.

1270. A letter from the Fiscal Assistant Secretary of the Treasury, transmitting the sixth annual report on the financial condition and results of the operations of the airport and airway trust fund, covering fiscal

year 1976 and the transition quarter, pursuant to section 208(e)(1) of the Airport and Airway Revenue Act of 1970, as amended (H. Doc. No. 95-126); to the Committee on Ways and Means and ordered to be printed.

1271. A letter from the Chairman, U.S. International Trade Commission, transmitting a special report on the probable impact on U.S. trade of granting most-favored-nation treatment to the U.S.S.R., pursuant to section 410 of the Trade Act of 1974; to the Committee on Ways and Means.

1272. A letter from the Secretary of Agriculture, transmitting a report that no acquisition of lands or interest in lands have taken place within the Boundary Waters Canoe Area, Superior National Forest, Minn., pursuant to section 6(b) of the act of June 22, 1948, as amended (90 Stat. 1123); jointly, to the Committees on Agriculture, and Interior and Insular Affairs.

1273. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend titles 10 and 5, United States Code, to disestablish one of the positions of Deputy Secretary of Defense and establish an Under Secretary of Defense for Policy, and for other purposes; jointly to the Committees on Armed Services, and Post Office and Civil Service.

1274. A letter from the Comptroller General of the United States, transmitting a report on ways to improve the Army's management of spare combat equipment (LCD-76-442, April 5, 1977); jointly to the Committees on Government Operations, and Armed Services.

1275. A letter from the Comptroller General of the United States, transmitting a report on the pricing of noncompetitive contracts subject to the Truth-In-Negotiations Act (PSAD-77-91, April 11, 1977), jointly, to the Committees on Government Operations, and Armed Services.

1276. A letter from the Comptroller General of the United States, transmitting a report on the long-term fiscal outlook for New York City, pursuant to section 10 of Public Law 94-143 (PAD-77-1 April 4, 1977); jointly, to the Committees on Government Operations, and Banking, Finance and Urban Affairs.

1277. A letter from the Comptroller of the United States, transmitting a summary report on the long-term fiscal outlook for New York City, pursuant to section 10 of Public Law 94-143 (PAD-77-1A, April 4, 1977); jointly, to the Committees on Government Operations, and Banking, Finance and Urban Affairs.

1278. A letter from the Comptroller General of the United States, transmitting a report on New York City's efforts to improve its accounting systems, pursuant to section 10 of Public Law 94-143 (FGMSD-77-15, April 4, 1977); jointly, to the Committees on Government Operations, and Banking, Finance and Urban Affairs.

1279. A letter from the Comptroller General of the United States, transmitting an assessment of New York City's performance and prospects under its 3-year Emergency Financial Plan, pursuant to section 10 of Public Law 94-143 (GGD-77-40, April 4, 1977); jointly, to the Committees on Government Operations, and Banking, Finance and Urban Affairs.

1280. A letter from the Comptroller General of the United States, transmitting a report on the financial condition of the Export-Import Bank of the United States as of June 30, 1976 (ID-77-23, April 15, 1977); jointly, to the Committees on Government Operations, and Banking, Finance and Urban Affairs.

1281. A letter from the Comptroller General of the United States, transmitting the third in a series of reports on the Department of Labor's implementation of the Comprehensive Employment and Training

Act of 1973 (HRD-77-53, April 7, 1977); jointly to the Committees on Government Operations and Education and Labor.

1282. A letter from the Comptroller General of the United States, transmitting a report recommending improvements in the Federal Government's system for processing the individual discrimination complaints of Federal employees and job applicants (FPCD-76-77, April 8, 1977); jointly to the Committees on Government Operations, Education and Labor, and Post Office and Civil Service.

1283. A letter from the Comptroller General of the United States, transmitting a report on physical security systems at nuclear powerplants (EMD-77-32, April 7, 1977); jointly to the Committees on Government Operations and Interior and Insular Affairs.

1284. A letter from the Comptroller General of the United States, transmitting a report on the continuing need for improved operation and maintenance of municipal waste treatment plants constructed under grants awarded by the Environmental Protection Agency; jointly to the Committees on Government Operations and Public Works and Transportation.

1285. A letter from the Environmental Protection Agency, transmitting a draft of proposed legislation to extend certain provisions of the Clean Air Act, as amended, for 2 years; jointly, to the Committees on Science and Technology and Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on April 6, 1977, the following reports were filed on April 7, 1977]

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 1403. A bill to authorize the Secretary of the Interior to convey the interest of the United States in certain lands in Adams County, Miss., notwithstanding a limitation in the Color-of-Title Act (45 Stat. 1069, as amended; 43 U.S.C. 1068); with amendment (Rept. No. 95-191). Referred to the Committee of the Whole House.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2527. A bill to authorize the Secretary of Agriculture to convey certain lands in the Sierra National Forest, Calif., to the Madera Cemetery District (Rept. No. 95-192). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURPHY of New York: Committee on Merchant Marine and Fisheries. H.R. 5638. A bill to amend the Fishery Conservation Zone Transition Act in order to give effect during 1977 to the Reciprocal Fisheries Agreement between the United States and Canada (Rept. No. 95-193). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on April 5, 1977, the following report was filed on April 6, 1977]

Mr. PRICE: Committee on Armed Services. H.R. 5970. A bill to authorize appropriations during the fiscal year 1978, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of

the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads, and for other purposes (Rept. No. 95-194). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on April 5, 1977, the following report was filed on April 11 1977]

Mr. MANN: Committee on the Judiciary. H.R. 5864. A bill to approve with modifications certain proposed amendments to the Federal Rules of Criminal Procedure, to disapprove other such proposed amendments, and for other related purposes (Rept. No. 95-195). Referred to the Committee of the Whole House on the State of the Union.

[Submitted April 18, 1977]

Mr. ULLMAN: Committee on Ways and Means. Section 302(b) Allocation Report of the Committee on Ways and Means on the Third Concurrent Budget Resolution for fiscal year 1977 (Rept. No. 95-210). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DANIELSON: Committee on the Judiciary. H.R. 1413. A bill for the relief of Robert H. Glazier (Rept. No. 95-196). Referred to the Committee of the Whole House.

Mr. HARRIS: Committee on the Judiciary. H.R. 1427. A bill for the relief of Marie Grant; with amendment (Rept. No. 95-197). Referred to the Committee of the Whole House.

Mr. MAZZOLI: Committee on the Judiciary. H.R. 1436. A bill for the relief of William H. Klusmeier, publisher of the Austin Citizen, of Austin, Tex. (Rept. No. 95-198). Referred to the Committee of the Whole House.

Mr. MOORHEAD of California: Committee on the Judiciary. H.R. 1557. A bill for the relief of Franklin R. Helt; with amendment (Rept. No. 95-199). Referred to the Committee of the Whole House.

Mr. KINDNESS: Committee on the Judiciary. H.R. 1612. A bill for the relief of certain employees of the Naval Ordnance Systems Command; with amendment (Rept. No. 95-200). Referred to the Committee of the Whole House.

Mr. HARRIS: Committee on the Judiciary. H.R. 1613. A bill for the relief of certain postmasters charged with postal deficiencies; with amendment (Rept. No. 95-201). Referred to the Committee of the Whole House.

Miss JORDAN: Committee on the Judiciary. H.R. 2563. A bill for the relief of Velzora Carr (Rept. No. 95-202). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary. H.R. 2952. A bill for the relief of M. Sgt. William E. Boone, U.S. Army, retired (Rept. No. 95-203). Referred to the Committee of the Whole House.

Mr. KINDNESS: Committee on the Judiciary. H.R. 3314. A bill for the relief of Tri-State Motor Transit Co. (Rept. No. 95-204). Referred to the Committee of the Whole House.

Mr. KINDNESS: Committee on the Judiciary. H.R. 3460. A bill for the relief of William J. Elder and the estate of Stephen M. Owens, deceased (Rept. No. 95-205). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary. H.R. 3620. A bill for the relief of John A. Townsley (Rept. No. 95-206). Referred to the Committee of the Whole House.

Mr. DANIELSON: Committee on the Judiciary. H.R. 3621. A bill for the relief of

Joseph J. Andrews (Rept. No. 95-207). Referred to the Committee of the Whole House.

Mr. HARRIS: Committee on the Judiciary. H.R. 3622. A bill for the relief of Mr. and Mrs. Aaron Wayne Ogburn (Rept. No. 95-208). Referred to the Committee of the Whole House.

Mr. MAZZOLI: Committee on the Judiciary. H.R. 4533. A bill for the relief of Gary Daves and Marc Cayer (Rept. No. 95-209). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPIN:

H.R. 6256. A bill to amend the Fair Labor Standards Act of 1938, as amended, and for other purposes; to the Committee on Education and Labor.

By Mr. BROOKS:

H.R. 6257. A bill to provide for the efficient and regular distribution of current information on Federal domestic assistance programs; to the Committee on Government Operations.

H.R. 6258. A bill to amend the Privacy Act of 1974 to extend the life of the Privacy Protection Study Commission to September 30, 1977; to the Committee on Government Operations.

By Mr. CARTER:

H.R. 6259. A bill to amend title XVIII of the Social Security Act to provide payment for rural health clinic services, and for other purposes; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. CORMAN:

H.R. 6260. A bill to amend title XVIII of the Social Security Act for the purpose of including community mental health centers among the entities which may be qualified providers of service for medicare purposes; jointly, to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. CORNELL (for himself, Mr. COHEN, Mr. HUGHES, Mr. MARKEY, and Mr. NEAL):

H.R. 6261. A bill to revise the laws governing appointments to the service academies so as to relieve Members of Congress from the responsibility of making nominations for appointments thereto, and for other purposes; jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

By Mr. CORNWELL (for himself, Mr. MILLER of California, Mr. SHUSTER, and Mr. ROBERT W. DANIEL, JR.):

H.R. 6262. A bill to provide for the exclusion of industrially funded personnel in computing the total number of civilian personnel authorized by law for the Department of Defense in any fiscal year; to the Committee on Armed Services.

By Mr. CORNWELL (for himself, Mr. RAHALL, Mr. EILBERG, Mrs. MEYNER, Mr. KINDNESS, Mr. MURPHY of Pennsylvania, Mr. YOUNG of Missouri, Mr. FITZHIAN, Mr. DUNCAN of Tennessee, Mr. BENJAMIN, Mr. CORRADA, Mr. EDGAR, Mrs. SPELLMAN, Mr. BAUCUS, Mr. CARNEY, Mr. GILMAN, and Mr. OTTINGER):

H.R. 6263. A bill to amend the Disaster Relief Act of 1974 relating to assistance to be provided to States and local governments during any emergency, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. FASCELL:

H.R. 6264. A bill to require authorizations of new budget authority for Government programs at least every 5 years, to establish a

procedure for zero-base review of Government programs every 5 years, and for other purposes; jointly, to the Committees on Rules, and Government Operations.

By Mr. JACOBS (for himself and Mr. WON PAR):

H.R. 6265. A bill to amend title 21 of the United States Code, the Federal Food and Drugs Act of 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. KREBS (for himself and Mr. SISK):

H.R. 6266. A bill to permit marketing orders to include provisions concerning marketing promotion, including paid advertisement, of raisins and distribution among handlers of the pro rata costs of such promotion; to the Committee on Agriculture.

By Mr. MCCORMACK (for himself, Mr. BADILLO, Mr. BEDELL, Mr. BEILSON, Mr. BENJAMIN, Mr. BEVILL, Mr. BLANCHARD, Mr. BRECKINRIDGE, Mr. EDGAR, Mr. FORSYTHE, Mr. HUGHES, Mr. JEFFORDS, Mr. MADIGAN, Mrs. PETTIS, Mr. RODINO, Mr. ROE, Mr. ROSE, Mr. RUNNELS, Mr. SCHEUER, Mr. STUDDS, Mr. TRAXLER, Mr. WALGREEN, Mr. WEISS, Mr. CHARLES WILSON of Texas, and Mr. YOUNG of Missouri):

H.R. 6267. A bill to encourage energy conservation in residences and in use of electric vehicles; to the Committee on Ways and Means.

By Mr. MARLENEE:

H.R. 6268. A bill to provide additional emergency credit for farmers and ranchers and to expand existing credit, and emergency credit authority available to farmers and ranchers under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

H.R. 6269. A bill to increase the maximum amounts of operating and real estate loans which may be made under the Consolidated Farm and Rural Development Act; to the Committee on Agriculture.

H.R. 6270. A bill to suspend for 1 year the enforcement of certain restrictions on irrigation of private lands under Department of the Interior reclamation projects; to the Committee on Interior and Insular Affairs.

By Mr. MICHEL (for himself, Mr. ABDNOR, Mr. BEARD of Tennessee, Mr. BURGNER, Mr. BROOMFIELD, Mr. CLEVELAND, Mr. COLLINS of Texas, Mr. DERWINSKI, Mr. DORNAN, Mr. EDWARDS of Oklahoma, Mr. FREY, Mr. KEMP, Mr. KINDNESS, Mr. MILFORD, Mr. MITCHELL of New York, Mr. JOHN T. MYERS, Mr. ROBINSON, Mr. TREEN, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, and Mr. WINN):

H.R. 6271. A bill to provide for the personal safety of those persons engaged in furthering the foreign intelligence operations of the United States; to the Committee on the Judiciary.

By Mr. MICHEL (for himself and Mr. RAILSBACK):

H.R. 6272. A bill to provide emergency drought assistance by authorizing the Secretary of Agriculture to pay certain costs of transporting water; to the Committee on Agriculture.

By Mr. MITCHELL of Maryland:

H.R. 6273. A bill to amend the Federal Reserve Act to provide for Senate confirmation of certain appointments, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MONTGOMERY (by request):

H.R. 6274. A bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans; to increase the rates of dependency and indemnity compensation for their survivors; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OTTINGER:

H.R. 6275. A bill to amend title II of the Social Security Act to provide that any fully insured individual may qualify for disability insurance benefits and the disability freeze if he has 40 quarters of coverage, regardless of when such quarters were earned, even if he does not have 20 quarters of coverage during the 40-quarter period immediately preceding his disability; to the Committee on Ways and Means.

By Mr. PRICE (for himself and Mr. BOB WILSON) (by request):

H.R. 6276. A bill to amend section 409 of title 37, United States Code, to eliminate restrictions for transporting a house trailer or mobile dwelling by a member of the uniformed services, and for other purposes; to the Committee on Armed Services.

H.R. 6277. A bill to amend title 10, United States Code, to authorize reimbursement for expenses incurred in obtaining quarters by certain members of the uniformed services on sea duty who are deprived of their quarters aboard ship, and for other purposes; to the Committee on Armed Services.

By Mr. QUIE (for himself and Mr. BAUCUS):

H.R. 6278. A bill to amend the Tariff Schedules of the United States to permit the free entry of Canadian petroleum (including reconstituted crude petroleum) and crude shale oil, provided that an equivalent amount of the same kind and quality of domestic or duty-paid foreign crude petroleum (including reconstituted crude petroleum) and crude shale oil has been exported to Canada; to the Committee on Ways and Means.

By Mr. QUILLEN (for himself and Mrs. SCHROEDER):

H.R. 6279. A bill to amend title 38 of the United States Code to revise certain administrative requirements of the veterans' educational program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUSSO (for himself, Mr. MURPHY of Illinois, Mr. HUGHES, Mr. MOAKLEY, Mr. DERWINSKI, Mr. BRODHEAD, Mr. TREEN, Mrs. COLLINS of Illinois, Mr. BONIOR, Mr. ROSTENKOWSKI, and Mr. FARY):

H.R. 6280. A bill to authorize the Comptroller General to audit the programs, activities, and financial operations of the Federal National Mortgage Association, and to amend certain housing laws for the purposes of improving Federal programs which insure home mortgages; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SARASIN (for himself, Mr. RICHMOND, Mr. ROE, Mr. ST GERMAIN, Mr. SOLARZ, and Mr. WEISS):

H.R. 6281. A bill to provide for the development and implementation of programs for youth camp safety; to the Committee on Education and Labor.

By Mr. UDALL (for himself, Mr. GUDGER, and Mr. EDWARDS of California):

H.R. 6282. A bill to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VANIK (for himself, Mr. STEIGER, Mr. JONES of Oklahoma, and Mr. HOLLAND):

H.R. 6283. A bill to amend the Trade Act of 1974 in order to authorize the President to designate certain countries in the Western Hemisphere as beneficiary developing countries under title V of such act if the President determines that such designations are in the national economic interest; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 6284. A bill to provide that the salaries of certain positions and individuals which were increased as a result of the operation of the Federal Salary Act of 1967 shall not be increased by the first comparability pay adjustment occurring after the date of the enactment of this act; to the Committee on Post Office and Civil Service.

By Mr. BROOKS (for himself and Mr. JOHN L. BURTON):

H.J. Res. 391. Joint resolution to authorize the Administrator of General Services to accept land, buildings, and equipment, without reimbursement, for the John Fitzgerald Kennedy Library, and for other purposes; to the Committee on Government Operations.

By Mr. BROOKS:

H. Res. 489. Resolution to provide for the expenses of investigations and studies to be conducted by the Select Committee on Congressional Operations; to the Committee on House Administration.

H. Res. 490. Resolution to provide for reprinting of House Report 94-1688 and House Report 94-1757; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

85. By the SPEAKER: Memorial of the Legislature of the State of Montana, relative to the conduct of political campaigns on the grounds of Malmstrom Air Force Base; to the Committee on Armed Services.

86. Also, memorial of the Legislature of the Territory of Guam, relative to increasing Federal aid to Guam for local educational agencies in areas affected by Federal activities; to the Committee on Education and Labor.

87. Also, memorial of the Legislature of the State of Utah, relative to the placement of Navajo Indians; to the Committee on Interior and Insular Affairs.

88. Also, memorial of the Senate of the State of New Mexico, relative to the freedom and security of the Republic of China; to the Committee on International Relations.

89. Also, memorial of the Legislature of the State of Idaho, relative to competition and interconnection of the telephone industry; to the Committee on Interstate and Foreign Commerce.

90. Also, memorial of the Legislature of the State of Nevada, relative to proposed amendments to the McCarran-Ferguson Act; to the Committee on Interstate and Foreign Commerce.

91. Also, memorial of the Legislature of the State of New Mexico, relative to deregulation of the oil and gas industries; to the Committee on Interstate and Foreign Commerce.

92. Also, memorial of the Legislature of the State of Hawaii, relative to providing financial assistance to States with large

numbers of foreign immigrants; to the Committee on the Judiciary.

93. Also, memorial of the Legislature of the State of South Dakota, relative to requesting the Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States relative to the right to life; to the Committee on the Judiciary.

94. Also, memorial of the Senate of the State of Hawaii, relative to providing subsidies to U.S.-flag ships operating between the U.S. mainland and Hawaii; to the Committee on Merchant Marine and Fisheries.

95. Also, memorial of the Senate of the Commonwealth of Puerto Rico, relative to the Public Works Act of 1976; to the Committee on Public Works and Transportation.

96. Also, memorial of the Legislature of the State of Hawaii, relative to canceling State debts for funds advanced for unemployment compensation benefits; to the Committee on Ways and Means.

97. Also, memorial of the Legislature of the State of Arkansas, relative to the development of offshore areas by the petroleum industry; to the ad hoc Select Committee on the Outer Continental Shelf.

98. Also, memorial of the Legislature of the State of Nebraska, relative to the development of the Outer Continental Shelf resources of oil and gas; to the ad hoc Select Committee on the Outer Continental Shelf.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DICKINSON introduced a bill (H.R. 6285) for the relief of the John A. Peterson Charitable Trust, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

78. By the SPEAKER: Petition of John J. Eckhart, Seattle, Wash., relative to Forest Service plans to construct a highway through the Burgdorf townsite, Idaho; to the Committee on Interior and Insular Affairs.

79. Also, petition of the Chinese Consolidated Benevolent Association, Los Angeles, Calif., relative to continuation of U.S. diplomatic ties with the Republic of China on Taiwan and for upholding existing Mutual Defense Treaty between the United States and the Republic of China on Taiwan; to the Committee on International Relations.

80. Also, petition of Haitian Committee of Organization of the March on Washington, New York, N.Y., relative to human rights; to the Committee on International Relations.

81. Also, petition of the mayor of the city of Owensboro, Ky., relative to providing fa-

cilities to aid in the control of homeless animals; to the Committee on Interstate and Foreign Commerce.

82. Also, petition of the board of directors, Delaware County Chamber of Commerce, Media, Pa., relative to the proposed Consumer Communications Reform Act of 1977; to the Committee on Interstate and Foreign Commerce.

83. Also, petition of Stanislaw Witek, Nowy Sacz, Poland, relative to his desire to visit his cousin in Chicago; to the Committee on the Judiciary.

84. Also, petition of the city council, New York, N.Y., relative to making Abraham Lincoln's birthday a national holiday; to the Committee on Post Office and Civil Service.

85. Also, petition of the board of trustees, Food Employers Labor Relations Association and Retail Store Employees Union Health and Welfare Fund, relative to simplifying the paperwork required of participants in private retirement plans; jointly, to the Committees on Education and Labor, and Ways and Means.

86. Also, petition of the National Association of Regulatory Utility Commissioners, Washington, D.C., relative to expediting the schedule for authorization of the construction and operation of the Arctic Gas project; jointly, to the Committees on Interior and Insular Affairs, and Interstate and Foreign Commerce.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5840

By Mr. MCKINNEY:

Page 12, immediately after line 18, insert the following new section 110 and redesignate existing sections 110 through 118 as sections 111 through 119, respectively:

"PROHIBITION OF CERTAIN PETROLEUM EXPORTS

"Sec. 110. Section 4 of the Export Administration Act of 1969, as amended by sections 107, 108, and 109 of this Act, is further amended by adding at the end thereof the following new subsection:

"(m) Notwithstanding any other provision of this Act and notwithstanding subsection (u) of section 28 of the Mineral Leasing Act of 1920, no domestically produced crude oil transported by pipeline over rights-of-way granted pursuant to such section 28 (except any such crude oil which (1) is exchanged in similar quantity for convenience or increased efficiency of transportation with persons or the government of an adjacent foreign state, or (2) is temporarily exported for convenience or increased efficiency of transportation across parts of an adjacent foreign state and reenters the United States) may be exported from the United States, its territories and possessions, during the 2-year period beginning on the date of enactment of this subsection."

SENATE—Monday, April 18, 1977

(Legislative day of Monday, February 21, 1977)

The Senate met at 12 meridian, on the expiration of the recess, and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer.

Let us pray:

Our Father-God, we thank Thee for the resurrection of springtime, for blos-

soms and buds, for fields and flowers, for lush lawns and green meadows, for quiet brooks and cascading streams, for gentle breezes and the calm warmth of the sun, for high-sailing clouds and the star-studded night, for the lyric notes of the birds, and for all that speaks of the wonder and glory of Thy creation. As new life abounds about us may a new life arise within us. May our minds and hearts harmonize with the beauty of the world Thou hast given us for our home.

Forgive us for all the wrong we have done to Thy creation. Strengthen us to do what is right in the future. Bless us in our work here and bring us to evening at peace with ourselves with our fellow-man and with Thee. Amen.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Jour-

nal of the proceedings of Thursday, April 7, 1977, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees be authorized to meet today during the session of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Armed Services Committee be authorized to meet during the sessions of the Senate on April 18, April 19, April 20, and April 21, 1977.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Subcommittee on Arms Control, Oceans, and International Environment be authorized to meet during the session of the Senate on Wednesday, April 20, 1977, at 2:30 p.m., to hear the Honorable Paul C. Warnke on authorizing legislation for the Arms Control and Disarmament Agency (S. 1190 and S. 1024), with possible markup to follow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AGENDA FOR TODAY

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, I ask the majority leader if he can give us some insight into the legislative agenda for today, what we might be doing, and particularly whether or not, as previously contemplated, we might move to the consideration of Calendar Order No. 55, the so-called tax refund bill, during the course of the day.

Mr. ROBERT C. BYRD. Yes.

Mr. President, in view of the President's decision last week to withdraw his support for the tax rebate, I have subsequently been in touch with the distinguished chairman of the Committee on Finance (Mr. Long) to ascertain what his wishes might be in this regard. I talked to him last week. I have talked to him again this morning. He is going to get back to me as soon as he can after consulting with others. Until that time, I am not in a position to respond to the distinguished minority leader. I assume that Mr. Long will be back to me within the hour.

Mr. BAKER. Mr. President, I thank the majority leader.

I might say that, as I said in Tennessee during the recent break, I commend President Carter for his judgment in withdrawing his recommendation for a tax refund. I think it is the right decision. I think it was timely made. The President and I may disagree on the origins of the proposal and its effect and certainly on the alternative Republican plan, which, I noticed in his press conference last week, the President indicated he would veto if we were to pass it. Notwithstanding those things, I think the President made the right decision

under the circumstances at this moment. I applaud him for it.

I notice that the distinguished ranking member of the Committee on Finance is here. I would like to yield to him at this time.

Before I yield to him, let me say that I look forward to working with the majority leader in attempting to determine a schedule of legislative activities that will accommodate the changed circumstances.

Mr. ROBERT C. BYRD. I thank the Senator.

ORDER FOR NO RESOLUTIONS TO COME OVER UNDER THE RULE THIS WEEK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, following routine morning business today, no resolutions be permitted to come over under the rule.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. I make the same request for each day during the remainder of the week.

Mr. BAKER. Mr. President, reserving the right to object—I do not object.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, I yield to the distinguished ranking minority member.

Mr. CURTIS. Mr. President, I thank the distinguished minority leader for yielding.

THE TAX BILL

Mr. CURTIS. Mr. President, I rise to commend President Carter on his action, taken in reference to the tax rebate. I believe that all people admire an individual who possesses such characteristics that he can change his mind; also, that he can display some qualities of leadership and exert the right to render a decision when the time is appropriate. I believe the country generally and the business community in particular have responded and will respond very favorably to the President's decision. I believe that what he has done has been in the best interest of the economy of our country.

As to the procedure on the tax bill, I have not had an opportunity to confer with my distinguished chairman, Senator Long of Louisiana. I do not know what his desires or plan will be in reference to the remaining sections of the bill. I am sure that he will make a decision that will be just and fair to all the Senators and to the majority and minority on the committee.

I would like to suggest, however, that it would seem to me that it would be the better part of wisdom if this bill, H.R. 3477, the tax bill, could go back to the committee for a few days so that we can take a look at it. There are some tax matters that are very urgent so far as some important groups are concerned. There are some things that need to be looked at in the light of the President's decision. So, while I shall gladly bow

to whatever arrangement the leadership makes in working with Senator Long, it seems to me—and I merely make the suggestion—that it might be well to have the Committee on Finance take a few days to see what these various proposals are on the drawing board and what may be considered.

Mr. BAKER. Mr. President, I thank the Senator from Nebraska.

Mr. CURTIS. I thank the distinguished minority leader.

Mr. BAKER. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, when the President made his decision respecting this \$50 tax rebate, I was in Mexico on official business for the Committee on Foreign Relations. I issued a statement saying that I thought it was prudent and courageous, and I think it is.

I think that by agreement between the President and many of us in the Congress, we are now on quite a different track than we were before. That is, that the President has himself said that an increase in consumer confidence, insofar as it could have been engendered by the \$50 tax rebate, has been accomplished. Indeed, that was his opening statement as to why he felt that he should recede from that position.

He said:

The recent improvements in all the economic indicators, the recent reduction in unemployment, the recent increase in the inflationary indicators, and their prospective impact of the new energy proposals, all have convinced me, the leaders of Congress, our economic advisers, that we do not need to proceed in the Congress with a \$50 tax rebate, nor with the optional business tax credits.

He went on to say that he thought, and I quote:

It is now too late to do that as early as we had anticipated and the consumer confidence has returned, consumer spending is up.

So, Mr. President, the only reason now for a tax bill would be the effort to continue the previous tax cuts, a change in the standard deduction to simplify tax returns, and otherwise. We are on a new track, no longer the track of consumer confidence, but some way of dealing with the fundamental structural difficulties in the American economy which result in a completely unacceptable rate of inflation and the danger that it will increase and, what we all agree, an absolutely unacceptable rate of unemployment.

There are targeted bills for the purpose. Indeed, I and others have agreed with the President upon a youth bill which is now before us by Presidential message and can have action rather quickly.

There is a question raised as to whether a permanent tax cut for individual taxpayers would deal not only with the issue of consumer confidence—the President says that is done—but would deal also with the question of investment confidence, as well as the demand for big ticket items. A permanent income tax cut would improve the outlook for consumer demand, and would be an incentive for business firms to expand productive capacity.

The ACTING PRESIDENT pro tempore. The time allotted to the minority leader has expired.

Mr. ROBERT C. BYRD. Mr. President, I yield 5 minutes to the minority leader to use as he wishes, if he wishes to use it.

Mr. BAKER. Mr. President, I thank the majority leader, and I yield that time to the Senator from New York.

Mr. JAVITS. I thank the Senator.

These also include the possibility of various kinds of accelerated depreciation. They include the possibility of accelerated depreciation for placing industrial and business facilities in areas hard hit by unemployment and for Government incentives for housing, a critically important lack in our country to this very moment, and another reason for the serious recession.

In addition, we may have targeted measures to deal with other areas where unemployment is very high, especially among youths, minorities, and women.

A question I raise now is this, Mr. President. The President is going to give us an energy message on Wednesday, probably as portentous a message as Congress ever gets in peacetime because, in my judgment, and that of many of my colleagues and of the people in the country, this is a really grave crisis, equivalent almost to a war crisis for the United States.

Should not we all now—the President, ourselves, our committees, the experts in the country—take a look at the new situation which the President has himself signaled, to wit, that we no longer need to go the route of restoring consumer confidence. He says that we are on that road now, and I agree. But we have to go the different track now of dealing with a very grave and endemic unemployment problem, very unusual for us, in the economic recovery of this country; with structural problems in our economy which have been revealed by the recent recession; and with a very grave energy problem, and that a different tax package, perhaps, even for the Republican side—and I had the honor of being chairman of the subcommittee which drafted ours—should now be devised to deal with what the President himself has signaled as a new economic situation.

I strongly commend that to the leadership, to my friend and colleague, Senator Long, and the Finance Committee. It is something which should give us all thought.

I say to the Senator from West Virginia (Mr. ROBERT C. BYRD) that I do not think, with all respect, that it is a matter of pulling the rebate and whatever else out of the bill, taking a couple of days to eliminate what the President has already said he wants eliminated, and tossing it back in the maelstrom of a lot of senatorial controversy.

I think maybe 2 weeks would be more like it, to take a look at the economic situation, at what the President is offering, including the energy package, at what comes from this side—I think I know my colleague well enough to know that he will look at that objectively—and try to design what will then meet the new situation which the President himself has signaled.

I respectfully submit that as a point of view to my colleagues.

Mr. BAKER. Mr. President, I thank the distinguished Senator from New York for his remarks. If there is any other time, I yield it back to the majority leader.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 10 minutes.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—EXECUTIVE H, 95TH CONGRESS, 1ST SESSION: EXECUTIVE I, 95TH CONGRESS, 1ST SESSION

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Treaty with Canada on the Execution of Penal Sentences, signed at Washington on March 2, 1977 (Executive H, 85th Cong., 1st sess.); and the Extradition Treaty with Finland, signed at Helsinki on June 11, 1976 (Executive I, 95th Cong. 1st sess.), both of which were transmitted to the Senate today by the President, and that the treaties with accompanying papers be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's messages be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The messages are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the United States of America and Canada on the Execution of Penal Sentences which was signed at Washington on March 2, 1977.

I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty would permit citizens of either nation who had been convicted in the courts of the other country to serve their sentences in their home country; in each case the consent of the offender as well as the approval of the authorities of the two Governments would be required.

This Treaty is significant because it represents an attempt to resolve a situation which has inflicted substantial hardships on a number of citizens of each country and has caused concern to both Governments. I recommend that the Senate give favorable consideration to this Treaty together with the similar treaty

with the United Mexican States which I have already transmitted.

JIMMY CARTER.

THE WHITE HOUSE, April 18, 1977.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty on Extradition between the United States of America and Finland, signed at Helsinki on June 11, 1976.

I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a modern series of extradition treaties being negotiated by the United States. It adds to the list of extraditable offenses the offenses of aircraft hijacking, narcotics, and conspiracy to commit listed offenses and, upon entry into force, will terminate and supersede the existing extradition treaty relationship between the United States and Finland.

This Treaty will make a significant contribution to the international effort to control narcotics traffic. I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

JIMMY CARTER.

THE WHITE HOUSE, April 18, 1977.

SPECIAL ORDERS FOR TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 1 p.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION OF SENATOR SCHMITT TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders or their designees have been recognized under the standing order, Mr. SCHMITT be recognized for not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAKER. Mr. President, will the majority leader yield to me?

Mr. ROBERT C. BYRD. Yes.

Mr. BAKER. I point out that if the Senate convenes at 1 p.m. tomorrow, the regular meeting of the Republican policy committee, the policy committee luncheon, would be convening at 12:30. We can accommodate that schedule, of course, but it will necessitate some of us being absent from the policy luncheon at 1 o'clock.

I wonder if the majority leader will consider coming in at 2 o'clock instead?

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 12:15 P.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, in response to the query from the distinguished minority leader, I would envision the possibility that some Senators on both sides of the aisle may or may not want to make speeches tomorrow on the President's message which will be delivered tonight, on the subject of that message.

Therefore, I ask unanimous consent that the Senate, when it completes its business today, stand in recess until the hour of 12:15 p.m. tomorrow.

Mr. BAKER. Mr. President, reserving the right to object—and I will not object—I think that is a good arrangement. I think the majority leader is correct. There probably will be the necessity for some time for that purpose, and that will suit our purpose on this side very well.

There is no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT RECEIVED DURING RECESS

Under authority of the order of April 6, 1977, the Secretary of the Senate, on April 8, 1977, received messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

Under authority of the order of April 6, 1977, the Secretary of the Senate, on April 12, 1977, received messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

Under authority of the order of April 6, 1977, the Secretary of the Senate, on April 15, 1977, received messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received on April 8, 12, and 15, 1977, are printed at the end of the Senate proceedings.)

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Chirton, one of his secretaries.

REPORT ON THE ADMINISTRATION OF THE RADIATION CONTROL FOR HEALTH AND PUBLIC SAFETY ACT—MESSAGE FROM THE PRESIDENT—PM 66

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States which was referred to the Com-

mittee on Commerce, Science, and Transportation:

To the Congress of the United States:

I transmit herewith the 1976 annual report on the administration of the Radiation Control for Health and Safety Act (Public Law 90-602), as prepared by the Department of Health, Education, and Welfare for a period of time prior to the commencement of my term.

The report's only legislative recommendation is that the requirement for the report itself, as contained in Public Law 90-602, be repealed. All of the information found in the report is available to Congress on an immediate basis through congressional committee oversight and budget hearings. The Department of Health, Education, and Welfare has concluded that this annual report serves little useful purpose and diverts agency resources from more productive activities.

JIMMY CARTER.

THE WHITE HOUSE, April 12, 1977.

REPORT ON SITUATION IN CYPRUS — MESSAGE FROM THE PRESIDENT—PM 67

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

As required by Public Law 94-104, this report describes progress which has been achieved during the last sixty days toward settlement of the Cyprus problem and the efforts the Administration has made to contribute to its resolution.

In my first report, dated February 11, I emphasized the high priority we place on this effort and reaffirmed our intention to work closely with the Congress in deciding on our future course. I promised that my Special Representative, Mr. Clark Clifford, would consult with you both before and after his trip to the area. He has done so. Before his departure, Mr. Clifford discussed the Cyprus question, and other pertinent matters, with a number of interested Senators and Congressmen. Leaving Washington February 15, he spent some two weeks visiting the eastern Mediterranean area to confer with leaders in Ankara, Athens and Nicosia. He also met with United Nations Secretary General Kurt Waldheim, under whose leadership the Cyprus intercommunal negotiations were subsequently reconvened. Returning from this series of intensive conversations, Mr. Clifford stopped in London to share his impressions with leaders of the British Government which, as current incumbent of the European Community Presidency as well as former administrator of Cyprus, maintains a special interest in finding a just and speedy Cyprus solution.

Upon his return, Mr. Clifford reported to me that the leaders of Greece, Turkey and Cyprus correctly saw his mission as a signal of the deep interest this Administration takes in the problems of the eastern Mediterranean. He came away

convinced of their clear understanding that the United States is firmly committed to the search for a fair and lasting Cyprus settlement as well as to the improvement of relations with our two important and valued NATO allies, Greece and Turkey, and to the creation of a more stable atmosphere in the eastern Mediterranean.

The tasks I gave Mr. Clifford were to make a first-hand assessment of current problems and attitudes in the three countries so that we might better judge what contribution the United States might make toward encouraging progress in the long-festering Cyprus dispute; to identify ways in which the United States could improve its bilateral relationships with Greece and Turkey; and to gain a better insight into the sources of the tensions that exist between these two NATO allies.

In his visits to Ankara and Athens, Mr. Clifford held detailed discussions on a range of bilateral issues, as well as the subject of Cyprus. These talks were useful in creating a better understanding of the problems which have complicated our relations with Greece and Turkey. I was pleased to hear from Mr. Clifford that the leaders in Ankara and Athens support a serious attempt to negotiate a fair settlement of the Cyprus problem in 1977.

On Cyprus, Mr. Clifford had lengthy meetings with Archbishop Makarios and with the Turkish Cypriot leader, Mr. Rauf Denktaş. These talks were frank and forthright. Both leaders recognized that what would be needed to move the Vienna talks forward were specific discussions of the two central issues of the Cyprus problem: future territorial arrangements and the division of responsibility between the central and regional governments. Mr. Clifford found a new willingness to face the difficult decisions which both sides must now make if a settlement is to be reached.

One indication of that willingness is the negotiations between the Turkish and Greek Cypriot representatives which took place in Vienna from March 31 through April 7. These meetings—the first such intercommunal negotiations in more than a year—were chaired for the first several days by U.N. Secretary General Waldheim and following his scheduled departure on April 4, the concluding sessions were held under the chairmanship of the Secretary General's Special Representative for Cyprus, Ambassador Perez de Cuellar.

We had not expected any dramatic breakthroughs at these meetings; and none occurred. The two sides are still far apart in their views. But the meetings did move forward the process of probing and clarification of each side's position by the other. Most important, in my view, is the fact that for the first time since 1974 concrete, detailed proposals were put forward by each side covering the two central issues. And finally the momentum achieved in these meetings has been preserved by the agreement of both sides to meet again in Nicosia about the middle of May to prepare for another round in Vienna and thus continue the process toward a peaceful Cyprus solution.

In my first report I promised that the United States will do all that it can to help achieve a negotiated settlement for Cyprus. I believe that the United States should continue to take a part in supporting the negotiating process revitalized by Secretary General Waldheim last month in Vienna. I believe that it is essential that we continue to work with the parties to encourage and insure a sustained and serious negotiating process and equally important that we work with our Greek and Turkish allies to strengthen the ties of friendship and co-operation between our countries. Working in close liaison with the Congress, we will devote whatever efforts may be required to bring about a truly just and lasting peace in the eastern Mediterranean.

JIMMY CARTER.

THE WHITE HOUSE, April 15, 1977.

APPROVAL OF BILLS

A message from the President of the United States stated that on April 7, 1977, he had approved and signed S. 925, an act to provide temporary authorities to the Secretary of the Interior to facilitate emergency actions to mitigate the impacts of the 1976-77 drought;

And that on April 13, 1977, he had approved and signed S. 1025, an act to amend the Securities Exchange Act of 1934 to increase the amount authorized to be appropriated for the Securities and Exchange Commission for fiscal year 1977.

MESSAGE FROM THE HOUSE

At 1:42 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House has agreed to House Concurrent Resolution 196, providing for a joint session of the two Houses on Wednesday, April 20, 1977, to receive a message from the President of the United States, in which it requests the concurrence of the Senate.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDING OFFICER laid before the Senate the following communications which were referred as indicated:

EC-1096. A letter from the Secretary of Agriculture transmitting, pursuant to law, a report on the acquisition of lands or interest in lands within the Boundary Waters Canoe Area, Superior National Forest, Minnesota.

Mr. ROBERT C. BYRD, Mr. President, I ask unanimous consent that a communication from the Secretary of Agriculture relative to a report on the acquisition of lands or interests of land within the boundaries of waters in the Superior National Forest be referred to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Energy and Natural Resources.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EC-1097. A communication from the Director of the Office of Management, Executive Office of the President, transmitting,

pursuant to law, a cumulative report on rescissions and deferrals for the month of April 1977 (with an accompanying report); jointly, pursuant to the order of January 30, 1975, to the Committees on Appropriations; the Budget; Foreign Relations; Commerce, Science, and Transportation; Armed Services, Energy and Natural Resources; Environment and Public Works; Human Resources; Agriculture, Nutrition, and Forestry; Finance; the Judiciary; Governmental Affairs; Banking, Housing, and Urban Affairs; and the Select Committee on Small Business, and ordered to be printed.

EC-1098. A communication from the Administrator of the Environmental Protection Agency transmitting a draft of proposed legislation to extend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, for two years (with accompanying papers); to the Committee on Agriculture, Nutrition, and Forestry.

EC-1099. A letter from the Secretary of Agriculture transmitting, pursuant to law, a report on Dutch elm disease (with an accompanying report); to the Committee on Agriculture, Nutrition, and Forestry.

EC-1100. A letter from the Administrator of the Rural Electrification Administration transmitting, pursuant to law, a report on the approval of an insured loan and a commitment to guarantee a non-REA loan to Chugach Electric Association, Inc., of Anchorage, Alaska (with an accompanying report); to the Committee on Appropriations.

EC-1101. A letter from the Deputy Assistant Secretary of Defense, Installations and Housing, transmitting, pursuant to law, notice of five construction projects to be undertaken by the U.S. Air Force Reserve (with an accompanying report); to the Committee on Armed Services.

EC-1102. A letter from the Secretary of Defense transmitting a draft of proposed legislation to amend titles 10 and 5, United States Code, to disestablish one of the positions of Deputy Secretary of Defense and establish an Under Secretary of Defense for Policy, and for other purposes (with accompanying papers); to the Committee on Armed Services.

EC-1103. A letter from the Deputy Assistant Secretary of Defense, Installations and Housing, transmitting, pursuant to law, notice of nine construction projects to be undertaken by the U.S. Army Reserve (with an accompanying report); to the Committee on Armed Services.

EC-1104. A letter from the Deputy Assistant Secretary of Defense, Installations and Housing, transmitting pursuant to law notice of five construction projects to be undertaken by the Air National Guard (with an accompanying report); to the Committee on Armed Services.

EC-1105. A letter from the Director of the Selective Service transmitting, pursuant to law, a copy of the Semiannual Report of the Director of Selective Service for the period July 1, 1976 through December 31, 1976 (with an accompanying report); to the Committee on Armed Services.

EC-1106. A letter from the Acting Director of the Defense Civil Preparedness Agency transmitting, pursuant to law, the report on property acquisitions of emergency supplies and equipment for the quarter ending March 31, 1977; to the Committee on Armed Services.

EC-1107. A letter from the Acting Secretary of the Air Force transmitting, pursuant to law, a report on the estimated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of the closure of Webb Air Force Base, Texas (with accompanying reports); to the Committee on Armed Services.

EC-1108. A letter from the Acting Secretary of the Air Force transmitting, pursuant to law, a report on the estimated fiscal, local economic, budgetary, environmental, strate-

gic, and operational consequences of the closure of Craig Air Force Base, Alabama (with accompanying reports); to the Committee on Armed Services.

EC-1109. A letter from the Acting Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report of Department of Defense Procurement from Small and Other Business Firms for October-November 1976 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

EC-1110. A letter from the President of the Export-Import Bank of the United States transmitting, pursuant to law, a report on loan, guarantee and insurance transactions supported by Eximbank during February 1977 to Communist countries (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

EC-1111. A letter from the Secretary of Transportation transmitting, pursuant to law, the seventh annual report of operations under the Airport and Airway Development Act of 1970 for fiscal year ended June 30, 1976 and the transition quarter (with an accompanying report); to the Committee on Commerce, Science, and Transportation.

EC-1112. A letter from the Administrator of the Environmental Protection Agency transmitting a draft of proposed legislation to extend the Marine Protection, Research, and Sanctuaries Act, as amended, for two years (with accompanying papers); to the Committee on Commerce, Science, and Transportation.

EC-1113. A letter from the Secretary of Commerce transmitting a draft of proposed legislation to amend Section 304 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended, to extend the authorization of appropriations (with accompanying papers); to the Committee on Commerce, Science, and Transportation.

EC-1114. A letter from the Chairman of the Federal Trade Commission transmitting, pursuant to law, the sixty-second annual report of the Federal Trade Commission covering its accomplishments during the fiscal year ended June 30, 1976 (with an accompanying report); to the Committee on Commerce, Science, and Transportation.

EC-1115. A letter from the Acting Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a copy of a proposed contract with Colorado School of Mines, Golden, Colorado, for a research project entitled "Rapid Excavation of Rock with Small Charges of High Explosives" (with an accompanying report); to the Committee on Energy and Natural Resources.

EC-1116. A letter from the Acting Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a copy of a proposed contract with the Pennsylvania State University, University Park, Pennsylvania, for a research project entitled "Solution Mining of Sedimentary Uranium Deposits" (with an accompanying report); to the Committee on Energy and Natural Resources.

EC-1117. A letter from the Acting Assistant General Counsel for International, Conservation, and Resource Development Programs transmitting, pursuant to law, notice of two meetings related to the voluntary agreement and plan of action and to implement the international energy program (with accompanying papers); to the Committee on Energy and Natural Resources.

EC-1118. A letter from the Acting Assistant Secretary of the Interior transmitting, pursuant to law, notice of the receipt of project proposals under the Small Reclamation Projects Act of 1956; to the Committee on Energy and Natural Resources.

EC-1119. A letter from the Administrator of the Federal Energy Administration transmitting, pursuant to law, the annual report on the progress of the Energy Conservation Program for Consumer Products (with

an accompanying report); to the Committee on Energy and Natural Resources.

EC-1120. A letter from the Acting Administrator of the General Services Administration transmitting, pursuant to law, a report of a building project survey for San Francisco, California (with an accompanying report); to the Committee on Environment and Public Works.

EC-1121. A letter from the Administrator of the Environmental Protection Agency transmitting a draft of proposed legislation to extend provisions of the Noise Control Act of 1972, as amended, for two years (with accompanying papers); to the Committee on Environment and Public Works.

EC-1122. A letter from the Administrator of the Environmental Protection Agency transmitting a draft of proposed legislation to extend certain provisions of the Clean Air Act, as amended, for two years (with accompanying papers); to the Committee on Environment and Public Works.

EC-1123. A letter from the Acting Assistant Secretary of the Army, Civil Works, transmitting, pursuant to law, concurrence with the recommendations of the Chief of Engineers in the report entitled "Projects Recommended for Deauthorization—First Annual Report, Supplement No. 3" dated February 2, 1977 (with an accompanying report); to the Committee on Environment and Public Works.

EC-1124. A letter from the fiscal Assistant Secretary of the Treasury transmitting, pursuant to law, the twenty-first annual report on the financial condition and results of the operations of the Highway Trust Fund for fiscal year 1976 and the transition quarter (with an accompanying report); to the Committee on Finance.

EC-1125. A letter from the Fiscal Assistant Secretary of the Treasury transmitting, pursuant to law, the sixth annual report on the financial condition and results of the operations of the Airport and Airway Trust Fund for fiscal year 1976 and the transition quarter (with an accompanying report); to the Committee on Finance.

EC-1126. A letter from the Chairman of the United States International Trade Commission transmitting, pursuant to law, a special report on East-West trade entitled "Probable Impact on U.S. Trade of Granting Most-Favored-Nation Treatment to the U.S.S.R." (with an accompanying report); to the Committee on Finance.

EC-1127. A letter from the Fiscal Assistant Secretary of the Treasury transmitting, pursuant to law, the report on Inventory of Nonpurchased Foreign Currencies as of September 30, 1976 (with an accompanying report); to the Committee on Foreign Relations.

EC-1128. A letter, dated April 8, 1977, from the Assistant Legal Adviser for Treaty Affairs transmitting, pursuant to law, international agreements other than treaties entered into by the United States within the past sixty days (with accompanying papers); to the Committee on Foreign Relations.

EC-1129. A letter from the Chairman of the District of Columbia Law Revision Commission transmitting, pursuant to law, the annual report of the District of Columbia Law Revision Commission (with an accompanying report); to the Committee on Governmental Affairs.

EC-1130. A letter from the Inspector General of the Department of Health, Education, and Welfare transmitting, pursuant to law, the order establishing the Office of Inspector General (with accompanying papers); to the Committee on Governmental Affairs.

EC-1131. A letter from the Deputy Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a follow-up report on the recommendations of the Advisory Committee on Federal Pay (with an accompany-

ing report); to the Committee on Governmental Affairs.

EC-1132. A letter from the Acting Comptroller General of the United States transmitting, pursuant to law, a report entitled "Continuing Need for Improved Operation and Maintenance of Municipal Waste Treatment Plants" (CED-77-46) (with an accompanying report); to the Committee on Governmental Affairs.

EC-1133. A letter from the Acting Comptroller General of the United States transmitting, pursuant to law, a report entitled "Pricing of Noncompetitive Contracts Subject to the Truth-in-Negotiations Act" (PSAD-77-91) (with an accompanying report); to the Committee on Governmental Affairs.

EC-1134. A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Better Evaluations Needed to Weed Out Useless Federal Advisory Committees" (GGD-76-104) (with an accompanying report); to the Committee on Governmental Affairs.

EC-1135. A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "More Benefits to Jobless Can be Attained in Public Service Employment" (HRD-77-53) (with an accompanying report); to the Committee on Governmental Affairs.

EC-1136. A letter from the Chairman of the National Study Commission on Records and Documents of Federal Officials transmitting, pursuant to law, the alternate report of the dissenting members of the National Study Commission on Records and Documents of Federal Officials containing its findings, conclusions and recommendations (with an accompanying report); to the Committee on Governmental Affairs.

EC-1137. A letter from the Administrator of the Environmental Protection Agency transmitting a draft of proposed legislation to extend provisions of Title XIV of the Public Health Service Act for two years (with accompanying papers); to the Committee on Human Resources.

EC-1138. A letter from the Chairman of the National Council on Educational Research transmitting, pursuant to law, an advance copy of the third annual report of the National Council on Educational Research entitled "Educational Research: Limits and Opportunities" (with an accompanying report); to the Committee on Human Resources.

EC-1139. A letter from the Chairman of the Student Loan Marketing Association transmitting, pursuant to law, the fourth annual report of the Student Loan Marketing Association for calendar year 1976 (with an accompanying report); to the Committee on Human Resources.

EC-1140. A letter from the Executive Secretary to the Department of Health, Education, and Welfare transmitting, pursuant to law, a copy of a document sent to the Federal Register entitled "Grants to State agencies for programs to meet the special educational needs of children in institutions for neglected or delinquent children" (with accompanying papers); to the Committee on Human Resources.

EC-1141. A letter from the Acting Commissioner of Education transmitting, pursuant to law, a plan and timetable for a plan designed to encourage the establishment of a student loan insurance program by each State which does not have such a program covered (with accompanying papers); to the Committee on Human Resources.

EC-1142. A letter from the Administrator of the Small Business Administration transmitting, pursuant to law, a report on the administration of the Freedom of Information Act for the calendar year 1976 (with an accompanying report); to the Committee on the Judiciary.

EC-1143. A letter from the Executive Officer, Freedom of Information Officer, of the Environmental Protection Agency transmitting, pursuant to law, a report on the administration of the Freedom of Information Act for the calendar year 1976 (with accompanying report); to the Committee on the Judiciary.

EC-1144. A letter from the Executive Secretary of the Occupational Safety and Health Review Commission transmitting, pursuant to law, a report on the administration of the Freedom of Information Act for the calendar year 1976 (with an accompanying report); to the Committee on the Judiciary.

EC-1145. A letter from Director of the Administrative Office of the United States Courts transmitting a draft of proposed legislation to amend the Jury Selection and Service Act of 1968, as amended, to make the excuse of prospective jurors from federal jury service on the grounds of distance from the place of holding court contingent upon a showing of hardship on an individual basis (with accompanying papers); to the Committee on the Judiciary.

EC-1146. A letter from the Assistant Administrator of the Office of Planning and Management, Law Enforcement Assistance Administration transmitting, pursuant to law, the report of the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice (with an accompanying report); to the Committee on the Judiciary.

EC-1147. A letter from the Acting Director of the Community Relations Service, Department of Justice, transmitting, pursuant to law, a report of the activities of the Community Relations Service for fiscal year 1976 (with an accompanying report); to the Committee on the Judiciary.

EC-1148. A letter from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered in 1,060 cases in which the authority contained in the Immigration and Nationality Act was exercised in behalf of such aliens (with accompanying papers); to the Committee on the Judiciary.

EC-1149. A letter from the Administrator of the Small Business Administration transmitting, pursuant to law, Volume II of the 1976 annual report on the activities and accomplishments of the Small Business Administration (with an accompanying report); to the Select Committee on Small Business.

PETITIONS

The PRESIDING OFFICER laid before the Senate the following petitions which were referred as indicated:

POM-129. Resolution No. 62 adopted by the Legislature of the Territory of Guam relative to expressing appreciation to the President and Congress of the United States for their support of a plan to reimburse the territory of Guam for any loss of income tax revenues resulting from changes in the present Federal Law; to the Committee on Appropriations:

"RESOLUTION No. 62

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, the territory of Guam retains all income taxes from income earned within the territory; and

"Whereas, income taxes on territorial income constitute over fifty percent of all revenues collected by the government of Guam; and

"Whereas, proposed changes in the income tax law, specifically a tax rebate plan and an increase in the standard deduction, would negatively impact on the government of Guam's tax revenues; and

"Whereas, any loss of income tax revenue seriously impacts on the ability of the government of Guam to provide needed services to the residents of the territory; and

"Whereas, by recognizing territorial dependence upon the income tax collected on territorial incomes, the House Ways and Means Committee has voted to fully reimburse territorial treasuries in the amount of \$15 Million for FY75 & FY76 losses caused by the rebate and deduction increase; and

"Whereas, the Virgin Islands has received assurances from a representative of the President that a federal grant to cover the cost to the Virgin Islands of any tax reduction will be supported by the Administration; and

"Whereas, with House Ways and Means support and, as a sister territory of the Virgin Islands, Guam can also be assured of Administration support for a reimbursement plan to cover any loss of income tax resulting from changes in the federal law; now, therefore, be it

"Resolved, by the members of the Fourteenth Guam Legislature that a sincere thank you and Si Yuus Maase is hereby extended to the President and House of Representatives for their concern and understanding of the special circumstances and needs of Guam and its sister territories by supporting a proposal to reimburse territorial treasuries for losses caused by the rebate and deduction increase proposal presently before Congress; and be it further

"Resolved, that the Fourteenth Guam Legislature respectfully requests the United States Senate to act favorably on the Amendment to add \$15 million to the Department of the Interior's FY77 supplemental budget to cover Guam's tax losses; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, the President Pro Tem of the Senate, the Speaker of the House of Representatives, Guam's Congressional Delegate, and to the Governor of Guam."

POM-130. House Joint Resolution No. 8 adopted by the House of Representatives of the State of Idaho requesting Congress to consider the effects of legislative action on telephone rates applicable to the general public; to the Committee on Commerce, Science, and Transportation:

"HOUSE JOINT MEMORIAL NO. 8

"We, your Memorialists, the House of Representatives and Senate of the State of Idaho assembled in the First Regular Session of the Forty-fourth Idaho Legislature, do hereby respectfully represent that:

"Whereas, increased competition within the telecommunications industry and its effect on basic residential telephone rates is a matter of great public concern; and

"Whereas, much discussion has been generated regarding the possible benefits of such competition to the large users of telecommunications services and to the manufacturers of customer-provided devices; and

"Whereas, it is pointed out in these discussions that the widespread use of private transmission services and customer-provided devices may cause increased costs for residential telephone service, with the result that much if not all the increased costs will, of necessity, be paid by the utilities' small business and residential customers, including persons in lower income groups and those on fixed incomes; and

"Whereas, it is the duty of every public utility serving Idaho customers to furnish adequate, efficient, just and reasonable service, instrumentalities, equipment and facilities as are necessary to promote the safety, health, comfort and convenience of its patrons; and

"Whereas, it has come to the attention of the members of the Legislature that the

United States Congress has had under its consideration legislation concerning possible limitations on competition in the telecommunications industry; now, therefore, be it

"Resolved by the members of the First Regular Session of the Forty-fourth Idaho Legislature, the House of Representatives and Senate concurring therein, that the members do hereby express their interest and concern regarding the Congress' investigation into telephone competition and interconnection; and be it further

"Resolved that the Congress be requested to include in its deliberations a full inquiry into the possible economic impact of any action it may contemplate, with the view of providing complete assurance that its action will not have an adverse effect on telephone rates applicable to the general public, and particularly to low-income individuals and small business, so that the public interest will be served; and be it further

"Resolved that the Federal Communications Commission is requested to delay full implementation of its policies fostering competition until Congress has had the opportunity to complete its investigation and to develop national policy; and be it further

"Resolved that the Chief Clerk of the House of Representatives transmit copies of this resolution to the President, the President of the Senate and the Speaker of the House of Representatives of Congress, and to the Senators and Representatives from Idaho in the Congress of the United States, and to the Federal Communications Commission."

POM-131. House Concurrent Resolution No. 77 adopted by the General Assembly of the State of Arkansas endorsing the exploration and development of petroleum potential of offshore areas of the United States and urging the U.S. Congress to encourage such exploration and development; to the Committee on Energy and Natural Resources:

"H.C.R. 77

"Whereas, the shortages of natural gas in the United States have caused extreme hardship to many citizens of the State of Arkansas and throughout the nation, and have resulted in the closings of factories and schools, shortened work hours and personal suffering; and

"Whereas, the U.S. Geological Survey estimates that the Federal Outer Continental Shelf may hold the potential for discovery and recovery, under today's technology and economics, of up to 181 trillion cubic feet of natural gas and up to 49 billion barrels of crude oil; and

"Whereas, the capability to explore for and produce oil and natural gas in U.S. offshore areas has already been proved by U.S. oil companies, as testified to in the 20,000 wells drilled to date in U.S. waters and the worldwide recognition given to American offshore expertise, technology, equipment and manpower; and

"Whereas, this capability has been further proved in the safety record of offshore operations in U.S. waters and in the production from U.S. offshore wells, which currently provide 16 percent of our domestic crude oil production and 21 percent of our natural gas production; and

"Whereas, it is in the interest of all Americans that exploration and production of our nation's frontier areas in the Outer Continental Shelf be conducted as rapidly as prudent management of our natural resources admits to; now therefore, be it

"Resolved by the House of Representatives of the Seventy-First General Assembly of the State of Arkansas, the Senate Concurring therein:

That the General Assembly, in the interests of the citizens of the State of Arkansas and of the United States in its entirety, hereby strongly endorses the full and thor-

ough exploration and development of the petroleum potential of the offshore areas of the United States, and calls upon the Congress of the United States to move expeditiously in encouraging such exploration and development through the private enterprise petroleum industry; be it further

"Resolved That upon adoption of this Resolution, a copy hereof shall be transmitted to the presiding officer of the U.S. Senate and the U.S. House of Representatives, and to each member of the Arkansas Congressional delegation."

POM-132. Resolution No. 47 adopted by Legislature of the State of Nebraska urging that current regulations and restrictions be eased so that development of the Outer Continental Shelf resources of oil and gas be expedited for the benefit of the United States and its citizens; to the Committee on Energy and Natural Resources:

"LEGISLATIVE RESOLUTION 47

"Whereas, although the State of Nebraska has produced oil and natural gas since 1939, this production has not been great enough to make her self-supporting in energy; and

"Whereas, the production in Nebraska as well as production in surrounding states, from whom Nebraska imports her supply of oil and natural gas, is on the decline; and

"Whereas, the only hope for reversing the trend of 'sharing the shortage' is to promote development of nationwide expanded exploration, production, conservation and alternate sources of energy; and

"Whereas, the U.S. Geological Survey estimates that the Federal Outer Continental Shelf may contain the potential for discovery and recovery, under present technology and economics, of up to 181 trillion cubic feet of natural gas and up to 49 billion barrels of crude oil; and

"Whereas, there are at least three prime Outer Continental Shelf areas located on the eastern seaboard which if developed could supply eastern consumers with their average annual consumption of 4 trillion cubic feet of natural gas for 20 years. This natural gas now comes from Outer Continental Shelf wells in the Gulf of Mexico. Rapid development of the East Coast Outer Continental Shelf gas reserves would release important quantities of natural gas for the states of the Middle West, including Nebraska, where natural gas is currently in serious short supply; and

"Whereas, activity on the Outer Continental Shelf has been impeded by numerous environmental restrictions imposed on the industry by governmental action and legislation (S. 9 and H.R. 1614) is being considered by Congress of the United States which would further delay the development of these much needed resources; and

"Whereas, the capability to explore for and produce oil and natural gas in the U.S. offshore areas has already been proven by the U.S. oil companies, as shown by the 20,000 wells drilled, to date, in U.S. waters and the worldwide recognition given the offshore expertise, technology, equipment and manpower of the American petroleum industry; and

"Whereas, this capability has been further proven by the safety record of offshore operations in U.S. waters; the wells of which currently provide 16 percent of our domestic crude production and 21 percent of our natural gas production; and

"Whereas, it is in the interest of all Americans, especially those in producing states, that the exploration and production in our nation's frontier areas of the Outer Continental Shelf be accelerated as rapidly as prudent management will permit; now, therefore, be it

"Resolved by the Members of the Eighty-fifth Legislature of Nebraska, first session: 1. That they express their desire that

such legislation be seriously considered and defeated by the Congress of the United States and that the current regulations and restrictions be eased so that development of the Outer Continental Shelf resources of oil and gas be expedited for the benefit of the United States and its citizens.

2. That upon adoption of this resolution, a copy hereof shall be transmitted to the presiding officer of the U.S. Senate, the U.S. House of Representatives, and to each member of the Nebraska Congressional Delegation."

POM-133. A substitute resolution of S.R. No. 65 and 68 adopted by the Senate of the Commonwealth of Puerto Rico endorsing the Federal public works legislation known as the Public Works Act; to the Committee on Environment and Public Works:

"SENATE RESOLUTION OF S.R. No. 65 AND No. 68

"STATEMENT OF MOTIVES

"The Federal Congress, in its determination to reduce unemployment throughout the nation, approved the Public Works Act in 1976. Under said legislation the states, cities and municipalities are provided funds to combat unemployment locally and develop works of benefit to the community.

"Puerto Rico has received funds in the amount of eighty-nine million (89,000,000) dollars on proposals authorized by the Economic Development Administration of the Federal Department of Commerce. The Resident Commissioner, Honorable Baltasar Corrada del Rio, has obtained the support of Congressman Robert Roe, who is in charge of the public works legislation, so that there be extended to Puerto Rico the thirty-eight million (38,000,000) dollars pending adjudication in the first round of appropriations under the Federal law. The Resident Commissioner and the Governor of Puerto Rico receive the one hundred twenty-seven million (127,000,000) dollars that would correspond to it in the second round of said legislation. To such effects letters have been sent to and meetings have been held with federal officials.

"As an example of this, the Director of the Economic Development Administration of the Federal Department of Commerce, John Corrigan, met with Governor Carlos Romero Barceló in Puerto Rico. It is possible that as a result of this meeting, Puerto Rico receive advances from the funds forming part of the reserve created and which have not been adjudicated in the first round of the aforesaid Federal legislation.

"Different municipalities of Puerto Rico have submitted projects to the consideration of the Economic Development Administration of the United States Department of Commerce under the same provisions of this act. Projects for the amount of ninety million (90,000,000) dollars have already been authorized and there remain another thirty-seven million dollars pending final determination.

"Now the Congress of the United States in holding public hearings with a view to renewing the provisions of this act with larger appropriations than the ones in force and as an additional special effort to combat unemployment throughout the nation in a more aggressive way. Puerto Rico could benefit from the new legislation with appropriations of between 250 and 300 million dollars. All of us who in one way or another discharge public responsibilities must exert the maximum effort and offer our support to a legislation of this nature, aimed at reducing the magnitude of a chronic problem in Puerto Rico, as is unemployment. It is known that Puerto Rico has traditionally sustained high rates of unemployment. At the present time the rate of unemployment of Puerto Rico is more than twice the national unemployment rate.

"Besides establishing priorities, the Com-

mittee is going to advise and inform applicant municipalities so that their proposals have the greatest probability of being approved.

"The officials of this administration are making every possible effort so that a third round of this legislation be approved in which Puerto Rico may obtain still larger appropriations.

"It is necessary that the Senate of Puerto Rico give all its official moral backing to the efforts being made by our official representatives for the benefit of the people of Puerto Rico.

"Be it resolved by the Senate of Puerto Rico:

"Section 1.—The Senate of Puerto Rico hereby expresses its most decided endorsement to the Federal public works legislation (known as "Public Works Act" of 1976) and to its extension to future years, legislation that is intended to ease the pain and tribulation that unemployment represents for every American citizen.

"Section 2.—To endorse the efforts that our official representatives are making so that the people of Puerto Rico obtain the maximum benefit from said legislation.

"Section 3.—To ratify our interest in that there be made available to Puerto Rico the maximum funds whose authorization present and future legislation may permit.

"Section 4.—To acknowledge the effort being made by the Resident Commissioner of Puerto Rico in Washington, Honorable Baltasar Corrada del Rio and the Governor of Puerto Rico, Honorable Carlos Romero Barceló so that Puerto Ricans achieve from this legislation the full participation and optimum benefit they are entitled by their condition as American citizens.

"Section 5.—To send a copy of this Resolution to the Governor of Puerto Rico, Honorable Carlos Romero Barceló, to the Resident Commissioner of Puerto Rico in Washington, Honorable Baltasar Corrada del Rio, to the presiding officers of both Legislative Chambers of the United States, and to the Chairman of the Committees and Subcommittees dealing with this measure in the Congress of the United States."

POM-134. Resolution No. 77-486 adopted by the Orange County Board of Supervisors, Orange County, Calif., supporting legislation for the extension of the Indochinese refugee assistance program.

POM-135. House Joint Resolution No. 503 adopted by the Legislature of the State of South Dakota making application to the Congress of the United States to call a convention for the purpose of proposing a human life amendment to the Constitution of the United States in accordance with article V of said Constitution; to the Committee on the Judiciary:

"H.J. RES. No. 503

"Whereas, millions of abortions have been performed in the United States since the abortion decision of the Supreme Court of January 22, 1973; and

"Whereas, the Congress of the United States has not to date proposed, subject to ratification, a human life amendment to the Constitution of the United States; and

"Whereas, in the event of such congressional inaction, article V of the Constitution of the United States grants to the states the right to initiate constitutional change by applications from the Legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

"Whereas, the Congress of the United States is required by the Constitution to call such a convention upon the receipt of applications from the Legislatures of two-thirds of the several states:

"Be it resolved, by the House of Representatives of the State of South Dakota, the Senate concurring therein:

"That the Legislature of the State of South

Dakota does hereby make application to the Congress of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States that would protect the life of all human beings, including unborn children; be it further

"Resolved, that this application shall constitute a continuing application for such convention pursuant to article V of the Constitution of the United States until the Legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States; be it further

"Resolved, that certified copies of this resolution be presented to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this state attesting the adoption of this joint resolution by the Legislature of the State of South Dakota."

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under authority of the order of April 6, 1977, the following reports of committees were received on April 12, 1977:

By Mr. MUSKIE, from the Committee on the Budget, without amendment:

S. Res. 126. A resolution waiving section 303(a) of the Congressional Budget Act with respect to the consideration of H.R. 3477 (Rept. No. 95-89).

S. Con. Res. 19. An original resolution setting forth the congressional budget for the United States Government for the fiscal year 1978, together with supplemental and minority views (Rept. No. 95-90).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CANNON, from the Committee on Rules and Administration, with an amendment:

S. Res. 5. A resolution to amend the Standing Rules of the Senate, together with minority views (Rept. No. 95-91).

By Mr. KENNEDY, from the Committee on Human Resources, without recommendation:

H.R. 4991. An Act to authorize appropriations for activities of the National Science Foundation, and for other purposes (Rept. No. 95-92).

By Mr. KENNEDY, from the Committee on Human Resources, with an amendment:

S. 855. A bill to authorize appropriations for the activities of the National Science Foundation, and for other purposes, together with minority views (Rept. No. 95-93).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. HUMPHREY:

S. 1284. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for the purchase and installation of certain energy conserving devices in a taxpayer's principal residence and in other buildings; to the Committee on Finance.

By Mr. DANFORTH (for himself and Mr. EAGLETON):

S. 1285. A bill to designate certain lands in the Mark Twain National Forest, Missouri, which comprise about seventeen thousand five hundred and sixty-two acres, and

known as the "Irish Wilderness", as a component of the National Wilderness Preservation System; to the Committee on Energy and Natural Resources.

By Mr. METCALF:

S. 1286. A bill to designate certain lands in the Gallatin and Beaverhead National Forests, in Montana, as wilderness; to the Committee on Energy and Natural Resources.

By Mr. GRAVEL:

S. 1287. A bill to provide housing and community development assistance for Indians and Alaska Natives; to the Committee on Banking, Housing, and Urban Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUMPHREY:

S. 1284. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for the purchase and installation of certain energy conservation devices in a taxpayer's principal residence and in other buildings; to the Committee on Finance.

SOLAR ENERGY AND ENERGY CONSERVATION ACT OF 1977

Mr. HUMPHREY. Mr. President, I am introducing the Solar Energy and Energy Conservation Act. It has been introduced twice before and similar provisions have been twice passed by the Senate as amendments to tax legislation.

The bill establishes fiscal incentives for the acquisition and use of solar energy devices and energy conservation equipment and devices in homes, offices, and in industry. Such fiscal incentives are long overdue. In fact, to refresh my colleagues' memories, we passed similar provisions to those in my Solar Energy and Energy Conservation Act of 1977 in March of 1975—as a floor amendment sponsored by Senator DOMENICI and myself to a tax reduction bill. Unfortunately, the conferees on that bill deleted the solar/conservation fiscal incentive provisions.

Let me summarize this legislation:

First, it establishes tax credits:

Of 25 percent—with a \$1,000 maximum—of the cost of acquiring and installing solar heating and cooling equipment in a taxpayer's existing principal residence or any new housing unit;

Of 25 percent—with a \$250 maximum—of the cost of acquiring and installing insulation and caulking—in excess of HUD's minimum property standards—and storm windows and doors on new housing units;

Of 25 percent—with a \$250 maximum—of the cost of acquiring and installing insulation, caulking, storm windows and doors plus other energy conserving devices in a taxpayer's existing principal residence;

Of 25 percent—with a maximum of \$5,000—of the cost of acquiring and installing solar energy heating and cooling equipment in a new or existing commercial building; and

Of 25 percent—with a maximum of \$1,000—of the cost of acquiring and installing insulation, caulking, storm windows and doors plus other energy-conserving devices in a commercial building.

There is a 3-year carryback and a 4-year carryforward provision for unused tax credits in this legislation; the credit is available to contractors as well

as building owners, but not to both for the same structure.

Tax deductions for the cost of acquiring and installing solar heating and cooling equipment and energy-conserving materials and equipment are established by this legislation—they may be used as an alternative to the tax credits made available. Limitations on the deductions are \$4,000 for the solar equipment and conservation materials and devices, of which a maximum of \$1,000 can be applied to the latter.

The tax incentives are temporary—expiring in 1981—and are designed to temporarily reduce the cost of solar devices and energy-conserving improvements to homes and other buildings. As many of my colleagues now know, the major hurdle facing the rapid utilization of solar energy or energy-conserving materials and devices are their relatively high initial costs.

New solar heating systems now cost between \$5,000 and \$15,000; a complete set of storm windows and doors can run upwards of \$2,500 per residence.

While the installation of solar devices and energy conserving improvements is a sound investment—with payback periods of 10 years or less in most cases—many homeowners simply cannot afford their purchase. We have seen paychecks eroded by inflation since 1973 at a startling rate. Few working men and women, in fact, have managed since then to even maintain constant purchasing power. And fewer still have seen their real income increase.

Frankly, providing tax incentives for solar energy and energy conservation is a necessity if we are to effectively realize substantial energy savings in our buildings sector. And, I believe there is now little doubt that energy conservation—minimizing the growth in demand for fossil fuels—is the only real path our Nation can take to energy independence.

There have been several bills offered this session establishing fiscal incentive similar to those provided by my Solar Energy and Energy Conservation Act of 1977. And I have little doubt that the administration's energy package will contain similar provisions, as well.

There are two factors which generally differentiate my bill from others, and merit support.

First, energy conserving investments in caulking and insulation for new residences are eligible for tax assistance only to the extent such investment exceeds that required by HUD's minimum property standards. This provision, of course, is designed to avoid unnecessary tax losses for actions which will be taken as a matter-of-course anyway.

Second, the tax assistance provided by my legislation is available to owners or to building contractors. The major institutional hurdle to solar energy utilization and residential structures with good energy conserving features is that contractors have little or no incentive to install the necessary materials or devices. Their incentive is to minimize cost. And unless a specific promotional effort is warranted, that usually means no solar energy and relatively few energy conserving features.

That situation exists today despite the recent upsurge in energy costs and awareness of their impact on household budgets.

Making the fiscal incentives provided in this legislation available to contractors as well as building owners will reduce this institutional hurdle. It should spark a modest rise in the utilization of more energy conserving features and solar heating and cooling equipment in new residential structures.

Mr. President, I ask unanimous consent that the text of the Solar Energy and Energy Conservation Act of 1977 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1284

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Solar Energy and Energy Conservation Act of 1977."

SEC. 2. (a) The Congress hereby finds that—

(1) present national energy sources are limited and the capacity of the national energy supply system to meet future demand is threatened;

(2) it is in the national interest to conserve energy by moderating the demand for fossil fuels and by improving the efficiency with which such fuels are used;

(3) significant energy savings for the Nation and the consumer may be achieved by applying existing methods of energy conservation to the thermal design of various residential units; and

(4) it is an important national objective to encourage sound investment practices which improve the thermal design of various residential units and increase the use of solar energy in heating, cooling, water heating and electricity production in such units.

(b) It is the purpose of this Act to establish a system of income tax credits and income tax deductions in order to promote the use of energy conserving techniques and devices in commercial and various residential units, and to promote the use of solar energy devices.

INCOME TAX CREDIT FOR CERTAIN EXPENDITURES RELATING TO THERMAL DESIGN OF RESIDENCES AND OTHER BUILDINGS

SEC. 3. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowed) is amended by inserting immediately before section 45 the following new section:

"SEC. 44B. EXPENDITURES RELATING TO THERMAL DESIGN OF TAXPAYER'S PRINCIPAL RESIDENCE AND OTHER BUILDINGS

"(a) GENERAL RULE.—There shall be allowed as a credit against the tax imposed by this chapter—

"(1) an amount equal to the ordinary and necessary expenses paid by a taxpayer during the taxable year for the improvement of the thermal design of any existing principal residence by that taxpayer through the purchase of conventional materials or through the purchase of solar heating and cooling equipment;

"(2) an amount equal to the ordinary and necessary expenses paid by a taxpayer, including a contractor, during the taxable year for the installation by that taxpayer, of insulation and caulking materials to the extent these materials exceed in the amount the specifications for such materials in the Department of Housing and Urban Development Minimum Property Standards, and storm windows, storm doors and solar heating and cooling equipment, in any new residential unit; and

"(3) an amount equal to the ordinary and necessary expenses paid by a taxpayer during the taxable year for the improvement of the thermal design of any new or existing commercial building by that taxpayer through the purchase of conventional materials or through the purchase of solar heating and cooling equipment.

"(b) GENERAL LIMITATION.—(1) The credit allowed by subsection (a) (1) and (a) (2) shall be limited to—

"(A) 25 percent of any expense which qualifies for a deduction under section 220 (a); and

"(B) \$1,000 for the period during which the provisions of this section are in effect, no more than \$250 of which may be allowed as a credit for the purchase of conventional materials.

"(2) The credit allowed by subsection (a) (3) shall be limited to (A) 25 percent of any expense which qualifies for a deduction under section 220(a); and (B) \$5,000 for the period during which the provisions of this section are in effect, no more than \$1,000 of which may be allowed as a credit for the purchase of conventional materials.

"(3) No credit for expenditure from Federal funds.—This section does not apply to so much of any payment as is made by the taxpayer from amounts received in the form of a grant, loan, or loan guarantee from the United States Government.

"(c) APPLICATION WITH OTHER CREDITS.—For purposes of subsection (a), the tax imposed by this chapter reduced by the sum of any amounts allowed as a credit under sections 33, 37, 38, 40, 41, 42, 44, and 44A.

"(d) CARRYBACK AND CARRYOVER OF UNUSED CREDITS.—If the amount of the credit determined under subsection (a) for the taxable year (including amounts carried over to that year under this subsection) exceeds the liability of the taxpayer for tax under this chapter for the taxable year (hereinafter in this subsection referred to as the 'unused credit year'), the excess shall be—

"(1) a credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(2) a credit carryover to each of the 4 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by subsection (a) for such years. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 7 taxable years to which such credit may be carried, and then to each of the other 6 taxable years to the extent that such unused credit may not be added for prior taxable year to which such unused credit may be carried.

"(e) DEFINITIONS.—

"(1) CONVENTIONAL MATERIALS.—For purposes of this section, the term 'conventional materials' includes caulking materials and insulation, storm windows, storm doors, and such other materials as so defined by the Secretary of the Treasury, in cooperation with the Federal Energy Administrator and the Secretary of HUD.

"(2) SOLAR HEATING AND COOLING EQUIPMENT.—For purposes of this section, the term 'solar heating and cooling equipment' means any solar heating and cooling equipment, solar electric generation devices and solar energy assisted heat pumps which:

"(A) meets the definitive performance criteria prescribed by the Secretary of HUD under section 8 of the Solar Heating and Cooling Demonstration Act of 1974 (Public Law 93-490; 88 Stat. 1073); or which

"(B) meets adequately definitive performance criteria to be certified acceptable for receipt of a tax credit or deduction by the Secretary of the Treasury in cooperation with the Secretary of HUD. The Secretary of the Treasury shall take such appropriate actions to accelerate the development of 'adequately definitive' performance criteria to allow cer-

tification of such equipment by not later than 180 days following enactment.

"(3) For purposes of this section the term 'residential units' shall include single family units and individual residential units within a multi-family structure.

"(4) PRINCIPAL RESIDENCE.—The term 'principal residence' has the same meaning as when such term is used in section 1034.

"(f) SPECIAL RULES.—

"(1) JOINT OCCUPANCY.—In the case of any dwelling unit which is jointly occupied and is used during the calendar year as the principal residence of two or more individuals—

"(A) the amount of the credit allowable under subsection (a) with respect to any qualified expenditures paid or incurred during the calendar year by any of such individuals with respect to such dwelling unit shall be determined by treating all such individuals as one taxpayer whose taxable year is such calendar year, and

"(B) each of such individuals shall be allowed a credit under subsection (a) for the taxable year in which such calendar year ends in an amount which bears the same ratio to the amount paid or incurred by such individual during such calendar year for such expenditures bears to the aggregate of the amounts paid by all such individuals during the calendar year for such expenditures.

"(2) TENANT STOCKHOLDER IN COOPERATIVE HOUSING CORPORATION.—In the case of an individual who holds stock as a tenant stockholder (as defined in section 216) in a cooperative housing corporation (as defined in such section), such individual—

"(A) shall be treated as owning the dwelling unit which he is entitled to occupy as such stockholder, and

"(B) shall be treated as having paid his tenant stockholder's proportionate share (as defined in section 216(b)(3)) of any qualified expenditures paid or incurred by such corporation.

"(g) NO REDUCTION OF BASIS.—The basis of any property shall not be increased by the amount of any qualified expenditure made with respect to such property to the extent of the amount of any credit allowed under this section with respect to such expenditure.

INCOME TAX DEDUCTION FOR CERTAIN EXPENDITURES RELATING TO THERMAL DESIGN OF RESIDENCES AND OTHER BUILDINGS

SEC. 4. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 220 as section 221, and by inserting immediately after section 219 the following new section:

"SEC. 220. EXPENDITURES RELATING TO THERMAL DESIGN OF TAXPAYER'S PRINCIPAL RESIDENCE AND OTHER BUILDINGS

"(a) GENERAL RULE.—There shall be allowed as a deduction,

"(1) the ordinary and necessary expenses paid by a taxpayer during the taxable year for the improvement of the thermal design of any principal residence by that taxpayer, through the purchase of conventional materials (as defined by section 44B(e)(1)) or through the purchase of solar heating and cooling equipment (as defined by section 44B(e)(2)) and;

"(2) an amount equal to the ordinary and necessary expenses paid by a taxpayer, including a contractor, during the taxable year for the installation by that taxpayer of insulation and caulking materials to the extent these materials exceed in the amount the specifications for such materials in the Department of Housing and Urban Development Minimum Property Standards, and storm windows, storm doors, and solar heating and cooling equipment, in any new residential unit.

"(b) LIMITATION.—The deduction allowed

by subsection (a) shall be limited to \$4,000 for the period during which the provisions of this section are in effect, no more than \$1,000 of which may be allowed as a deduction for the purchase of conventional materials.

"(c) ELECTION TO TAKE CREDIT IN LIEU OF DEDUCTION.—This section shall not apply in the case of any taxpayer who, for the taxable year, elects to take the credit against tax provided by section 44B (relating to credit against tax for expenditures relating to thermal design of taxpayer's residence and other buildings). Such election shall be made in such manner and at such time as the Secretary of the Treasury or his delegate shall prescribe by regulations."

"(d) The table of sections for such part VII is amended by striking out the term relating to section 219 and by inserting in lieu thereof the following new items:

"SEC. 220. Expenditures relating to thermal design of taxpayer's principal residence and other buildings.

"SEC. 221. Cross references."

"SEC. 5. (a) TERMINATION OF CREDIT.—The provisions of section (3) (a) and (4) (a) shall not apply with respect to any expenditure paid or incurred after December 31, 1981."

SEC. 6. TECHNICAL AMENDMENTS.—(a) (1) Section 6401(a) of such Code (relating to amount treated as overpayments) is amended—

(A) by inserting "and 44B (relating to expenditures relating to thermal design of taxpayer's principal residence and other buildings),"

(B) by striking out "and 43" each place it appears and inserting in lieu thereof a comma and "43 and 44B".

(2) Section 6201(a) (4) of such Code (relating to assessment authority) is amended—

(A) by striking out "39 or 43" in the caption and inserting in lieu thereof "39, 43, or 44B", and

(B) by striking out "or section 43 (relating to earned income)," and inserting in lieu thereof a comma and "section 43 (relating to earned income), or section 44B (relating to expenditures relating to thermal design of taxpayer's principal residence and other buildings)."

(3) Section 6096(b) of such Code (relating to designation of income tax payment to Presidential election campaign fund) is amended by striking out "and 44A" and inserting in lieu thereof "44A, and 44B".

(4) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting immediately before the item relating to section 45 the following new item:

"Sec. 44B. Expenditures Relating to Thermal Design of Taxpayer's Principal Residence and Other Buildings.

"SEC. 7(a). The amendments made by this section apply with respect to taxable years beginning after December 31, 1976, with respect to amounts paid or incurred after June 30, 1977."

By Mr. DANFORTH (for himself and Mr. EAGLETON):

S. 1285. A bill to designate certain lands in the Mark Twain National Forest, Mo., which comprise about 17,562 acres, and known as the "Irish Wilderness," as a component of the National Wilderness Preservation System; to the Committee on Energy and Natural Resources.

IRISH WILDERNESS ACT OF 1977

Mr. DANFORTH. Mr. President, I am pleased to introduce today on behalf of myself and Mr. EAGLETON a bill that would further the purposes of the Wilderness Act, a law passed by Congress,

some 13 years ago. The Wilderness Act, as you recall, granted authority to set aside designated geographic areas of our public domain and preserve them in their natural state for the recreation, education, and enjoyment of all Americans. Missourians are fortunate to have a great variety of land that would qualify for wilderness designation under the terms of the Wilderness Act. The bill we are introducing today will designate a tract of land, located in the southern Missouri county of Oregon and known as the Irish Wilderness as a component of the National Wilderness Preservation System.

Wilderness areas have both recreational and scientific value. Not only do wilderness areas provide camping and other high quality outdoor recreational opportunities, but they provide badly needed wildlife habitat and sites for wildlife, forestry, and water quality research. And, in a world which is increasingly insulated by modern technology, these wildlife areas will preserve a natural heritage of irreplaceable esthetic value.

The purpose of wilderness conservation and preservation is laudable—it is to protect certain areas of the public domain from changes wrought by man. Once land is designated as wilderness, it is to be left alone, not managed. Commercial operations are prohibited within wilderness areas, and neither roads, power lines nor even motor vehicles are allowed to intrude upon nature's domain. However, the compatible activities of man with nature—for instance, hiking, hunting, fishing, nature study, photography and horseback riding—are allowed.

My remarks, general in nature, are directly applicable to the reasons for designating the Irish Wilderness as part of this Nation's National Wilderness Preservation System. For the record, though, I would like to describe for you the beauty of the Irish Wilderness. Picture, if you will, a tract of wilderness, some 17,500 acres in size lying in the drainage area of two beautiful and scenic rivers, the Eleven Point and Current. The wilderness area itself is part of the National Forest System, and no permanent roads have been built within it.

Within the Irish Wilderness are numerous drainages, known in Missouri backland vernacular as hollows. These hollows start as little more than shallow washes in the upper woodlands of the wilderness area and meander throughout the wilderness, gradually deepening their valleys along the way until they reach a confluence with one of the rivers within the wilderness. Along these numerous hollows, one will find caves to explore, springs to drink from and sink holes to ponder.

The dense forest cover of the Irish Wilderness consists mainly of oak and pine and is supplemented throughout by an abundance of herb life. Also within the area is a diversity of animal wildlife, ranging from the salamander that frequents the springs and pond areas to reported sightings of both the American black bear and the eastern cougar.

Besides this natural beauty, the Irish Wilderness is steeped in history, folklore, and legend. Stories abound of courageous settlers, the existence of backwoods stills,

and marauding guerillas that frequented the area during the Civil War years. The Irish Wilderness obtains its name from Irish settlers who, in the mid-nineteenth century, led by one Father Hogan, descended upon the area to settle it. It is to Father Hogan that I turn, now, to summarize the beauty and vastness of this wilderness area and the necessity of preserving it for future generations. Father Hogan, in his description of the Irish Wilderness, stated:

The quiet solitariness of the place seemed to inspire devotion. Nowhere could the human soul so profoundly worship as in the depths of that leafy forest, beneath the swaying branches of the lofty oaks and pines, where solitude and the heart of man united in praise and wonder of the Great Creator.

Mr. President, I and Mr. EAGLETON are introducing today this bill to designate the Irish Wilderness as a component of the National Wilderness Preservation System in hopes that this Wilderness will be preserved forever as it was originally seen and inhabited by Father Hogan and described so eloquently by him.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be known as the Irish Wilderness Act of 1977.

SEC. 2. In furtherance of the purposes of the Wilderness Act (78 Stat. 890) and the Act of January 3, 1975 (88 Stat. 2096), the following area as generally depicted on a map appropriately referenced, dated April 1977, is hereby designated as wilderness and, therefore, as a component of the National Wilderness Preservation System—

(1) certain lands in the Mark Twain National Forest, Missouri, which comprise about seventeen thousand five hundred and sixty-two acres, are generally depicted on a map entitled "Irish Wilderness", dated April 1977, and shall be known as the Irish Wilderness.

SEC. 3. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Irish Wilderness area with the Energy and Natural Resources Committee of the Senate and the Interior and Insular Affairs Committee of the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 4. The area designated as wilderness by this Act shall be administered in accordance with the applicable provisions of the Wilderness Act (78 Stat. 890) and the Act of January 3, 1975 (88 Stat. 2096), except that any reference in such provisions to the effective date of such Acts shall be deemed to be a reference to the effective date of this Act.

By Mr. METCALF:

S. 1286. A bill to designate certain lands in the Gallatin and Beaverhead National Forests, in Montana, as wilderness; to the Committee on Energy and Natural Resources.

SPANISH PEAKS WILDERNESS AREA

Mr. METCALF. Mr. President, I introduce for appropriate reference a bill to expand the Spanish Peaks Wilderness Area in the Gallatin and Beaverhead National Forests in Montana. This bill is

identical to S. 355, which my distinguished colleague, former Senate Majority Leader Mike Mansfield, and I introduced in the 94th Congress.

We are all aware of the enormous pressures which the march of "civilization" is putting on our remaining wilderness. The Forest Service has made final formal recommendations to Congress under its Wilderness Act mandate. There are many more areas which should have been included. One of the more prominent of these is the expanded Spanish Peaks area in Montana.

The Forest Service has recommended inclusion of some 63,000 acres as a Spanish Peaks wilderness. My bill would nearly double the area, adding land on all sides but principally in the Jack Creek area to the south. Past hearings conducted by the Subcommittee on Public Lands of the Senate Interior Committee, as it was known before the 95th Congress, have revealed overwhelming public support for the expanded area. Those hearings, conducted in Bozeman, Mont., solicited testimony from those who live closest to the proposed reserve and who know it best.

Mr. President, all the lands I wish to add to the Forest Service proposal are essentially unused rugged lands which belong naturally with the core area. Some private ownership is involved in the southern Jack Creek area, most of it by the Burlington Northern Railroad. Burlington Northern is an absentee owner, having acquired the land in a checkerboard pattern by trades for lands previously given the railroad through Federal subsidy. I continue to be hopeful that the company, which does not presently use the land, will be convinced that it could serve a high public good without prejudicing the company's vital interests. Officials of Burlington Northern have indicated to me a willingness to discuss arrangements whereby the company might vacate these and other "checkerboard" sections in the Gallatin area, and these negotiations will be pursued. In the meantime, I will reintroduce the Spanish Peaks Wilderness Act.

Mr. President, I ask unanimous consent that the proposed legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1286

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), the following described lands in the Gallatin and Beaverhead National Forests, Montana, comprising about one hundred thirteen thousand one hundred and two acres and depicted on a map entitled "Spanish Peaks Wilderness", dated May 1971, are hereby designated as wilderness:

Beginning at the northeast section corner, section 32, township 4 south, range 4 east, M.P.M.; thence south along section lines approximately 1 mile to the southeast section corner, section 32, township 4 south, range 4 east; thence east along the township line approximately ½ mile to the north quarter section corner, section 4, township 5 south, range 4 east; thence south approximately 2 miles to the south quarter section corner, section 9; thence southeasterly approxi-

mately $3\frac{1}{2}$ miles to the east quarter section corner, section 26; thence south along section lines approximately 1 mile to the east quarter section corner, section 35; thence west approximately $\frac{1}{2}$ mile to the center section 35; thence south approximately $\frac{1}{2}$ mile to the south quarter section corner section 35, all in township 5 south, range 4 east;

Thence east approximately $\frac{1}{2}$ mile to the northeast section corner section 2, township 6 south, range 4 east; thence south along section lines approximately 2 miles to the northeast section corner, section 14; thence southwesterly approximately $3\frac{1}{2}$ miles to the center of section 28; thence south approximately $\frac{1}{2}$ mile to the south quarter section corner, section 28; thence west along section lines approximately $2\frac{1}{2}$ miles to the southwest section corner, section 30; thence north approximately 1 mile to the northwest section corner, section 30, all in township 6 south, range 4 east.

Thence west along section lines approximately 1 mile to the southwest section corner, section 24; thence north approximately $\frac{1}{2}$ mile to the west quarter section corner, section 24; thence west approximately $\frac{1}{2}$ mile to the center of section 23; thence north approximately $\frac{1}{4}$ mile; thence west approximately $\frac{1}{2}$ mile to the sixteenth section corner, section 23; thence north along section line approximately $\frac{1}{4}$ mile to the northwest section corner section 23; thence north along section line approximately $\frac{1}{4}$ mile to the sixteenth section corner; thence west approximately $\frac{1}{2}$ mile; thence north approximately $\frac{1}{4}$ mile to the center of section 15; thence west approximately $\frac{1}{2}$ mile to the west quarter section corner, section 15; thence north along section lines approximately $\frac{1}{2}$ mile to the northwest section corner, section 15; thence west approximately $\frac{1}{2}$ mile to the south quarter section corner, section 9; thence north approximately $\frac{1}{2}$ mile to the center of section 9; thence west approximately $\frac{1}{2}$ mile to the west quarter section corner, section 9; thence north approximately 1 mile; thence west approximately 1 mile; thence south approximately 1 mile to the west quarter section corner, section 8; thence west approximately $\frac{1}{4}$ mile to the Madison-Gallatin divide; thence southerly along said divide approximately $\frac{1}{2}$ mile to the intersection of the section line common to sections 7 and 18; thence west along section lines approximately $\frac{3}{4}$ mile to the northwest section corner, section 18; thence south along section lines approximately $1\frac{1}{4}$ miles to the intersection of the Madison-Gallatin divide, all in township 6 south, range 3 east.

Thence southwesterly along the Madison-Gallatin divide approximately $2\frac{3}{4}$ miles to Lone Mountain in the southwest quarter of section 26; thence northwesterly along spur ridges approximately 4 miles to Fan Mountain in the center of section 19, all in township 6 south, range 2 east.

Thence northwesterly along spur ridges approximately $2\frac{1}{4}$ miles to the northwest section corner, section 13; thence north along section line approximately 1 mile to the northwest section corner, section 12; thence west along section line approximately 1 mile to the southwest section corner, section 2; thence north along section line approximately 1 mile to the northwest section corner, section 2; thence east along section line approximately $1\frac{1}{2}$ miles to the north quarter section corner, section 1; thence south approximately $\frac{1}{4}$ mile; thence east approximately $\frac{1}{2}$ mile to the sixteenth section corner, section 1, all in township 6 south, range 1 east.

Thence approximately 1 mile east to the sixteenth section corner, section 6; thence north along section lines approximately $\frac{1}{4}$ mile to the northwest section corner, section 5; thence east along the township line approximately $\frac{1}{2}$ mile to the north quarter section corner, section 5, all in township 6 south, range 2 east.

Thence north approximately $\frac{3}{4}$ mile; thence west approximately $\frac{1}{2}$ mile to the sixteenth section corner, section 32; thence west approximately 1 mile to the sixteenth section corner, section 31, all in township 5 south, range 2 east.

Thence west approximately $2\frac{1}{2}$ miles to intersection with the Beaverhead National Forest boundary in section 34; thence north along said boundary approximately $2\frac{1}{4}$ miles to the north quarter corner, section 22; thence east along section lines approximately $\frac{1}{2}$ mile to the northwest section corner, section 23; thence north along section lines approximately 1 mile to the southwest section corner, section 11; thence west along section lines approximately 1 mile to the southwest section corner, section 10; thence north along section lines approximately 1 mile to the northwest section corner, section 10; thence west along section lines, approximately 1 mile to the southwest section corner, section 4; thence north along section lines approximately 1 mile to the northwest section corner, section 4, all in township 5 south, range 1 east.

Thence north along section lines approximately 1 mile to the northwest section corner, section 33; thence east along section lines approximately $1\frac{1}{2}$ miles to a point on the north section line of section 34 which is approximately $\frac{1}{4}$ mile west of the Madison-Gallatin divide; thence southeasterly approximately $1\frac{3}{4}$ miles through section 34 and 35 approximately $\frac{1}{4}$ mile west of the Madison-Gallatin divide to the south quarter section corner, section 35, all in township 4 south, range 1 east.

Thence southeasterly approximately $2\frac{1}{2}$ miles through sections 2, 11, and 12, approximately $\frac{1}{4}$ mile west and south of the Madison-Gallatin divide to the sixteenth section corner on the east section line of section 12, all in township 5 south, range 1 east.

Thence northeasterly approximately $\frac{1}{4}$ mile crossing the Madison-Gallatin divide in the northwest quarter of section 7, township 5 south, range 2 east; thence northeasterly approximately 2 miles along the ridge dividing South Fork Cherry Creek and Alder Creek to the north quarter section corner, section 5, all in township 5 south, range 2 east.

Thence northeasterly approximately 2 miles along the ridge through sections 32 and 33 to the northeast section corner, section 33; thence east along section line approximately 3 miles to the northeast section corner, section 36, all in township 5 south, range 2 east.

Thence east along section lines approximately $1\frac{3}{4}$ miles to the sixteenth section corner, section 32; thence south approximately $\frac{1}{4}$ mile; thence east approximately $\frac{1}{4}$ mile to the sixteenth section corner on the east section line section 32; thence east approximately $\frac{1}{4}$ mile; thence north approximately $\frac{1}{4}$ mile to the sixteenth section corner, section 33, all in township 5 south, range 3 east.

Thence east along section line approximately $5\frac{1}{4}$ miles to the point of beginning.

Sec. 2. The wilderness area designated by or pursuant to this Act shall be known as the "Spanish Peaks Wilderness" and shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effect date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

By Mr. GRAVEL:

S. 1287. A bill to provide housing and community development assistance for Indians and Alaska Natives; to the Committee on Banking, Housing, and Urban Affairs.

INDIAN AND ALASKA NATIVE HOUSING AND COMMUNITY DEVELOPMENT ACT

Mr. GRAVEL. Mr. President, I am today submitting legislation that addresses the issue of substandard housing among Indians and Alaska Natives.

I am sure that my colleagues are aware that the nature, scope and magnitude of problems confronting Native Americans today are of grave proportions. A brief restatement of some appalling statistics should suffice here. By all known socioeconomic indicators, Native Americans are the most underprivileged group in the United States. Of approximately 1 million Native Americans in the country, an estimated 60 percent live in poverty, and in certain sections of the country the rate is much higher. The overall unemployment rate among Native Americans is 40 percent, which is four times the national average. On certain reservations, the rate of unemployment reaches up to 62 percent. The average income for Native Americans is \$4,230 or 44 percent of the U.S. average.

The health related problems among Native Americans are even more striking. For infants from 28 days to 11 months, the mortality rate is 18.9 as compared nationally to 4.3. The incidence of tuberculosis is 102.2 among Native Americans and 15.7 nationally. Because of these and related factors, the life expectancy of Native Americans is 65.1 years, compared to a national life expectancy of 70.9 years.

Conditions are equally depressing with respect to education, crime, alcoholism, recreation, housing and related socioeconomic indicators. In all instances, the relevant indices are from two to four times the national level. Collectively, these factors portend a crisis situation for Native Americans.

The most significant indication of the plight of Native Americans is the poor housing and environmental conditions under which they are forced to live. The correlation between poor housing environment and poor health, high crime and related socioeconomic ills has been clearly established. Accordingly, improvement in the housing environment is essential to the overall improvement in the quality of life among Native Americans.

The housing problems among Native Americans are clearly the worst in the acute among Indians living on reservations. Of the approximately 500,000 Indians living on reservations, 26,750 families live in overcrowded conditions or substandard housing; 28,000 families live in homes without running water and toilet facilities. Sewer and drainage systems and roads are poor or nonexistent.

Despite the severity of the problems outlined above, the Federal Government has not been responsive to the needs of the Indian and Alaska Native people. The Department of Housing and Urban Development has been particularly ineffective in meeting the needs of Native Americans. Based on an inventory by the Bureau of Indian Affairs, BIA, the number of new housing units needed and HUD's response to those needs are shown for 1973-76:

Indian housing needs and HUD accomplishments, fiscal years 1973-76

Fiscal year	BIA inven- tory new units needed	HUD units com- pleted for occupancy	HUD commitment
1973	47,071	3,788	6,000
1974	46,556	3,499	6,000
1975	50,065	3,429	9,723
1976	58,288	2,695	-----

As evidenced by the above data, HUD's commitment for each of the 4 years was less than 15 percent of the established need. Moreover, the number of HUD units completed for occupancy amounted to less than 8 percent of the established need per year. It is significant to note that as the need for new units increased, the actual number of HUD units completed for occupancy has steadily declined. The number of completed units declined from 3,788 in 1973 to 2,695 in 1976, for a total decline of 1,093. This decline, coupled with an increase in the number of new units needed from 47,071 in 1973 to 58,288—an increase of 11,217—is strong evidence of the steady deterioration of the conditions under which Indians must live.

The reasons for HUD's ineffectiveness are varied and complex. Some of the more basic ones include: First, lack of appropriate organizational structure; second, lack of clear Indian policy; third, lack of sufficient resources; and fourth, lack of understanding of the basic problems confronting Native Americans. Most Government officials, including those in HUD, have little or no knowledge of the culture or traditions of Native Americans. Likewise, their knowledge of treaties and other special arrangements between Indian tribes and the U.S. Government is extremely limited. Because of these problems, Indian related programs are very low priority.

The existing HUD organizational structure does not lend itself to a coordinated and unified approach to the Native American housing problem. Each program area of HUD provides some form of services to Native Americans. More often than not, the services are fragmented and uncoordinated. The Office of Indian Policy and Programs has been severely hampered by a shortage of staff—only three persons—and a lack of involvement in decisions affecting Native Americans. The relationships between the field staff working in Indian programs are fragmented. Each region has its own method of dealing with the problems. As a result, there is no uniformity or national direction. Moreover, because of the varied structure, there is an overall lack of accountability for the success or failure of the program.

Mr. President, this is an issue that has been studied ad infinitum. A number of assessments have been made, including:

GAO report "Slow Progress in Eliminating Substandard Indian Housing," report to the Congress, Comptroller General of the United States, October 1971.

Regional Indian housing studies.

Staff report on Indian housing efforts, 1975, Senate Subcommittee on Indian Affairs.

National Indian Housing Conference, November 1974, Scottsdale, Ariz.

Secretarial Task Force on Indian Programs, HUD, November 1975.

The Indian Housing Effort in the United States, American Indian Policy Review Commission, August 1976.

In each report, problems are repeatedly described with more examples supporting the fact that the national needs increase and substandard housing also increases.

As a practical matter, HUD is unable to address this issue under its current administrative structure. At present, there is an Indian desk in the Office of Consumer Affairs and Regulatory Functions and an Indian team in two specific target areas with a large contingent of Indian housing authorities. These Indian desks serve advisory roles, with actual administrative authority scattered among several program assistant secretaries.

The legislation introduced today does not create any new programs or budget authority. It merely attempts to eliminate as many layers of bureaucracy as possible, while maintaining program efficiency.

The Indian and Alaska Native Housing and Community Development Act does the following:

First, declares the congressional policy to provide decent, safe and sanitary housing for all Indians and Alaska Natives within the next 6 years.

Second, provides for the creation of an Office of Indian and Alaska Natives Housing in the office of the Secretary of HUD to be headed by an Assistant Secretary for Indian and Alaska Native Housing.

Third, provides that the Assistant Secretary shall administer all departmental programs that may affect Indians and Alaska Natives and assure the delivery of these programs in coordination with other Federal agencies.

Fourth, provides that the Assistant Secretary shall report back to Congress within 120 days describing actions to be taken to meet the goals of the act on an administrative level and recommendations for legislative action.

Fifth, provides for yearly and quarterly progress reports.

Sixth, provides that the Assistant Secretary shall plan and conduct a national conference on Indian and Alaska Native Housing to be held each year.

Mr. President, I feel that enactment of this legislation is the least that can be done to demonstrate the concern of the Federal Government about the issue of substandard housing among Native Americans. I fully expect the Assistant Secretary for Indian and Alaska Native

Housing to report to Congress on the need to increase the financial commitment in this area. Upon receipt of that report, Congress should consider authorizing legislation to meet the 6-year goal. I believe this legislation will provide the impetus to address those issues at a later date.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Indian and Alaska Native Housing and Community Development Act."

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds and declares that—

(1) there are substantial numbers of Indians and Alaska Natives living in inadequate and substandard housing;

(2) the concentration of substandard housing among Indians and Alaska Natives is higher than among any other people in the United States;

(3) the lack of adequate housing has contributed to poor health conditions among Indians and Alaska Natives and other social and economic problems;

(4) Federal efforts undertaken thus far have not achieved the goal of providing adequate housing and community development activities for Indians and Alaska Natives;

(5) existing Federal programs and available resources could be marshaled to meet the housing and community development needs of Indians and Alaska Natives within six years; and

(6) administrative problems are impeding efforts to implement these programs and to meet the housing and community development needs of Indians and Alaska Natives.

(b) It is the purpose of this Act to provide decent, safe, and sanitary housing for all Indians and Alaska Natives within the next six years.

OFFICE OF INDIAN AND ALASKA NATIVE AFFAIRS

SEC. 3. (a) The Department of Housing and Urban Development Act is amended by adding after section 4 the following new section:

"OFFICE OF INDIAN AND ALASKA NATIVE AFFAIRS

"SEC. 4A. (a) There shall be in the Department an Office of Indian and Alaska Native Affairs (hereafter referred to as the 'Office'), through which the Secretary shall carry out functions relating to Indian and Alaska Native housing and community development.

"(b) The Office shall be headed by an Assistant Secretary for Indian and Alaska Native Affairs (hereafter referred to as the 'Assistant Secretary'), to whom the Secretary shall delegate within sixty days after enactment of this section all delegable duties relating to housing for Indians and Alaska Natives. The Office shall be organized as the Secretary determines to be appropriate in order to enable the Assistant Secretary to carry out the functions and responsibilities of the Office effectively, except that the functions of the Assistant Secretary shall not be delegated to any officer not directly responsible, both with respect to program operation and administration, to the Assistant Secretary.

"(c) The purpose of the Office shall be to consolidate responsibility for and to deliver Federal housing and community development programs affecting Indians and Alaska Natives. The Office shall—

"(1) administer, under the supervision and direction of the Secretary, all departmental

programs that may affect Indians and Alaska Natives; and

"(2) assure the delivery of these programs in coordination with the Department of the Interior, Department of Health, Education, and Welfare, and other Federal agencies that may affect Indian and Alaska Native housing and community development programs.

"(d)(1) The Assistant Secretary shall within 120 days after enactment submit to Congress through the Secretary a report which shall include—

"(A) a description of the actions the Assistant Secretary has taken since enactment and the actions which will be taken to meet the goal set forth in the Indian and Alaska Native Housing and Community Development Act, together with specific timetables for achieving the goal; and

"(B) recommendations for such legislative and administrative action as he deems appropriate if it appears that the law, regulations, or administrative actions interpose obstacles to achieving the goals.

"(2) The Assistant Secretary shall, not later than December 1 of each year, submit to Congress through the Secretary an annual report which shall include—

"(A) a description of the actions of the Office during the current year, a projection of its activities during the succeeding years, and the relationship of these activities to the goals set forth in the Indian and Alaska Native Housing and Community Development Act;

"(B) estimates of the cost of the projected activities for succeeding fiscal years;

"(C) a statistical report on the conditions of Indian housing; and

"(D) recommendations for such legislative, administrative actions and other actions, as he deems appropriate.

"(3) The Assistant Secretary shall on the first day of February, May, and August submit to Congress through the Secretary a report which describes the actions taken by the Assistant Secretary during the quarter to meet the goals set forth in the Indian and Alaska Native Housing and Community Development Act.

"(e) The Assistant Secretary shall plan and conduct a national Conference on Indian and Alaska Native Housing to be held each year. The Conference shall bring together individuals with knowledge and expertise in the field of Indian and Alaska Native housing and community development, including representatives of Federal, State, and local governments and Indian and Alaskan Native groups, professional experts and members of the general public knowledgeable in these matters, to assess the housing and community development conditions of Indians and Alaska Natives and develop recommendations for meeting the goals of the Indian and Alaska Native Housing and Community Development Act. The Assistant Secretary shall transmit to Congress through the Secretary a copy of the proceedings of the conference and any recommendations it may deem appropriate and necessary for the improvement of Federal housing and community development programs that may affect Indians and Alaska Natives.

"(f) In order to carry out the objectives of this section, the Assistant Secretary is authorized to make grants or contracts with public and private institutions, agencies, organizations and individuals.

"(g) As used in this section, the term 'Indians and Alaska Natives' includes any Indian tribe, band, nation, or community, including any Alaska native group, for which the Federal Government provides special programs because of the tribe, band, nation, or community's identity as Indian or Alaska Native, or which is recognized as an Indian tribe, band, nation, or community, or Alaska Native group, by the Secretary of the Interior or any tribe holding a treaty with the

Federal or State government, or any tribe which has been established by Executive order.

"(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section."

(b) Section 4(a) of such Act is amended by striking out "eight" and inserting in lieu thereof "nine".

(c) Section 5315 (87) of title 5, United States Code, is amended by striking out "(8)" and inserting in lieu thereof "(9)".

ADDITIONAL COSPONSORS

S. 919

At the request of Mr. GRIFFIN, the Senator from Indiana (Mr. LUGAR), the Senator from Texas (Mr. TOWER), and the Senator from Tennessee (Mr. SASSER) were added as cosponsors of S. 919, the Mobile Source Emission Control Amendments of 1977.

AMENDMENTS SUBMITTED FOR PRINTING

TAX REDUCTION AND SIMPLIFICATION ACT OF 1977—H.R. 3477

AMENDMENT NO. 189

(Ordered to be printed and to lie on the table.)

Mr. GRIFFIN submitted an amendment intended to be proposed by him to H.R. 3477, to provide for a refund of 1976 individual income taxes and other payments, to reduce individual and business income taxes, and to provide tax simplification and reform.

NOTICE OF HEARINGS

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATHAWAY. Mr. President, section 13 of Senate Resolution 400, the resolution which created the Select Committee on Intelligence, mandates the committee to "make a study with respect to * * * the authorization of funds for the intelligence activities of the Government and whether disclosure of any of the amount of such funds is in the public interest." On April 27 and 28, beginning at 10 a.m., the Select Committee on Intelligence will hold public hearings on this question of disclosure. Senator INOUYE, the chairman of the committee, has asked me as chairman of the Budget Authorization Subcommittee to chair these hearings. Any party interested in appearing or filing a statement regarding this issue should advise the committee. The committee's office number is 224-1700.

PARKS AND RECREATION SUBCOMMITTEE

Mr. JACKSON. Mr. President, I wish to announce for the information of the Senate and the public, the scheduling of a public hearing before the Parks and Recreation Subcommittee on the Senate Energy and Natural Resources Committee.

The hearing is scheduled for May 4, 1977, beginning at 10 a.m., in room 3110 of the Dirksen Senate Office Building. Testimony is invited on H.R. 5306, a bill to amend the Land and Water Conserva-

tion Fund Act of 1965 and for other purposes.

For further information regarding the hearings you may wish to contact Mr. Thomas Williams of the subcommittee staff on extension 47145. Those wishing to testify or who wish to submit a written statement for the hearing record should write to the Parks and Recreation Subcommittee, room 3106, Dirksen Senate Office Building, Washington, D.C. 20510.

NOTICE OF RESCHEDULED HEARINGS

Mr. RIEGLE. Mr. President, I wish to announce that the Consumer Affairs Subcommittee of the Senate Banking Committee has rescheduled its hearings on S. 656, S. 918, and S. 1130, bills to regulate debt collection practices. The hearings, originally set for April 25-27, have been rescheduled for May 11, 12, and 13 at 10 a.m., in room 5302, Dirksen Senate Office Building.

All persons wishing to testify at these hearings should contact Lewis M. Taffer, room 5300, Dirksen Senate Office Building; 224-0893.

ADDITIONAL STATEMENTS

PRESIDENT CARTER COMMENDED FOR LEADERSHIP IN ENERGY EFFORT

Mr. RANDOLPH. Mr. President, coal is the Nation's most plentiful domestic energy resource. We have about 434 billion tons of coal reserves. At currently recoverable methods, these resources could last from 300 to 400 years.

Yet today coal provides only about 17 percent of our total energy.

It is unrealistic to project our Nation's energy future with any degree of self-sufficiency and independence from foreign sources unless the greater utilization of coal forms the cornerstone of our energy strategy.

I commend President Carter for his recognition of this fact, and ask unanimous consent that a telegram to the President today be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: You have my official and personal commendation for urging Americans in your television message tonight to fully understand the severity of our energy crisis. Five consecutive national administrations have not met this responsibility. In 1959, I began a sustained congressional effort to set a fuels and energy policy for the United States. Our words of warning were: "Each year we delay, perhaps, brings us one year nearer to disaster." Hopefully, with your leadership, the distasteful but urgent job will be done.

With highest regard, I am

Truly,

Senator JENNINGS RANDOLPH.

ENERGY CONSERVATION

Mr. HUMPHREY. Mr. President, one of the great challenges that Americans face in the final quarter of this century is the conservation of our vital energy resources.

An important article on this critical problem appeared in the April 10 issue of the Washington Post. The article, entitled "The Best Energy Policy: Waste Not, Want Not," was written by Lee Schipper, an energy specialist with the energy and resources group at the University of California, Berkeley. Mr. Schipper is currently participating in a study of energy policy directed by the National Academy of Sciences.

This article is a significant contribution to our thinking about energy conservation. It argues that conservation need not mean harsh sacrifice. Instead, it means, as Mr. Schipper states:

More effective use of energy and our other resources—in other words, doing better, not doing without.

Americans are used to living with abundant, inexpensive energy. As a consequence, energy has not been an important factor, economically speaking, in the manner in which we plan to live our lives. The result has been, as the article demonstrates, that we use far more energy than is required to live comfortably.

It is imperative that we should strive to assure that future generations have adequate resources with which to meet their basic needs. However, in the effort to arrive at a national energy policy, it is crucial, from a human point of view, that economically disadvantaged families and individuals not be priced out of the marketplace for the energy that is essential for life. Mr. Schipper argues that any energy-related tax revenue be immediately returned to the economy and that the economically disadvantaged should have protection against sharp rises in the price of energy.

Mr. Schipper's article does not have a doomsday quality or tone. It is not only an excellent discussion of a very complex issue, but a notable demonstration of how clearheaded thinking can help solve the most difficult problems of mankind.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BEST ENERGY POLICY: WASTE NOT, WANT NOT

HOW A NATIONAL CONSERVATION PROGRAM COULD CUT OUR NEEDS WITHOUT CREATING HARDSHIPS

(By Lee Schipper)

We are bombarded with ingenious new ideas to create energy. The cold fact is that, for the next quarter century, the best way to produce more energy is to conserve it.

If we in the United States fully utilize all the known methods to use energy more efficiently, there is no doubt that energy needs will grow very slowly, rising by the year 2000 to only 50 percent greater than today. Compared to industry and government forecasts of a few years back, this represents a saving of the energy equivalent of around 30 million barrels of oil per day.

The flawed Nixon-Ford reaction to the 1973 oil embargo and price increase, encouraged by energy producers, was virtually to ignore conservation and to concentrate on finding ways to increase energy production. Certainly, we must boost production of oil and gas and find new ways to dig and burn

coal without pollution. And we must proceed with research into nuclear energy, geothermal energy and synthetic fuels.

No matter what we do, however, energy production costs will rise steadily for the rest of the century. It becomes increasingly cheaper—and, generally, cleaner and less risky—to save rather than find new resources.

Unfortunately, we are often given a false view of energy conservation by energy companies and even by some politicians. We are told that conservation means sacrifice and curtailment of human activities. It does not. It means more effective use of energy and our other resources—in other words, doing better, not doing without.

The Swedish example is instructive. For every dollar of gross national product the Swedes use only two-thirds as much energy as we do. Various factors are involved in that dramatic contrast, but certainly energy efficiency is a major element.

Thus, autos in Sweden average 24 miles per gallon, as opposed to less than 14 gallons in the United States. In part at least, that is a result of tax policy—there is a 60 cent a gallon tax on gas and a weight-related tax on new cars.

In producing raw materials, Sweden generally uses less energy per ton than we do. This is not accidental but the result of installation of modern equipment and use of heat recovery techniques.

The interaction of high energy costs and informed policy in construction is striking. Space heating in Sweden is twice as efficient as in the United States. To put it another way, a home in Sweden requires only slightly more heat than a similarly-sized dwelling in San Francisco, despite the great differences in climate. Insulation, solid construction and other weatherization practices make the savings possible.

Again, this is not accidental. Sweden's mortgage law of 1957 gave homeowners and builders access to extra investment for energy saving features in homes; tough building codes assure that few sloppy buildings are built; inspections that include use of infrared leak-seeking cameras, as well as training programs for homeowners and apartment and building managers, assure that the system is efficiently run.

Nearly a billion dollars is available over several years in the form of government grants or loans towards energy conservation in public and private buildings and in industry. This amount is tens of times greater than the sums tappable for conservation here.

Most other industrialized nations have also begun major energy conservation programs, revising demand forecasts downward considerably. This despite the fact that even now they are generally more efficient users of energy than the United States, despite the fact that they have many unsatisfied demands for autos, appliances and homes.

OUR LEAKY HOMES

What about our own prospects?

Today 22 percent of our energy goes to homes. This winter's cold wave should have reminded us that many American homes are leaky. Most of the leaks, fortunately, can be plugged. Adding insulation, especially to the millions of bare attics, would save at least 30 per cent of the energy which goes to heat our homes. Thermostat setbacks to 65 degrees by day, 58 by night, would save another 20 per cent; weather-stripping and storm windows would further decrease the energy loss.

Our use of hot water within the home can also be rationalized. The methods are now available; insulation kits that fit over the jacket of water heaters, temperature setbacks to 120 degrees, installation of inexpensive flow restrictors on hot water faucets.

Obviously, the possibilities are even greater in new homes. Recent research, as well as the example of homes actually built, suggest that it would be easy in mild climates to cut heating needs by one-half and possible to reduce requirements by three-quarters. The sample homes are less drafty than conventional homes. They are better insulated at slightly higher cost, but that investment is offset by reduction in the size of heating-cooling units and lower fuel bills.

New appliances can also help. Microwave ovens use less energy than conventional electric cooking, and a new generation of kitchen gadgets—such as the hamburger cooker—save energy by heating only the food, not the oven or the entire kitchen.

A redesigned frost-free refrigerator, studies show, could use half the electricity required by comparable models today. True, the purchase price would be 10 to 15 percent higher, but the extra investment could be won back through savings in electricity bills in the space of a few years. Even now, efficient models can be bought at no more cost.

Suppose that consumers ignore the more efficient refrigerators. Nationwide, by 1990, the utility companies would have to build at least eight large power plants at greater expense and there would be inevitable further costs—construction of transmission lines, fuel use, maintenance costs, pollution.

There is some hope in the fact that government agencies, consumer organizations and even utilities are beginning to provide consumers with information on the "life cycle" cost of operating appliances and even homes. If consumers can be convinced to take these total costs into account, they and the nation will earn handsome dividends.

Solar heaters, too, can save money in an era of rising energy costs. Solar water heating is particularly attractive today, except where controlled fuel prices are low.

But some architects and engineers have pointed out that, if we would design our homes with care in the first place, we could use the sun to eliminate perhaps as much as 80 to 90 percent of the heating/cooling cost.

The trick is in "passive" solar conditioning. Large masses of insulation or concrete will absorb solar radiation through south-facing windows in the winter daylight hours and re-radiate this stored heat during the evening hours; shades and overhangs over the windows will prevent the sunlight from entering the building during the warmer months. Carefully planted deciduous trees would provide shade in summer; in winter, with the trees bare, the sun would filter into windows and walls.

The prospects for such "passive" solar homes are so bright that the addition of an active solar collector system—including pipes, water storage and pumps—may prove unnecessary or even uneconomic. Whatever remaining space heating and air conditioning would be needed could be supplied by relatively minute quantities of fuel or power.

In overall terms, if we tap both conventional and new creative resources, we should be able to reduce energy use in existing homes by 20 percent by 1985. And within a few years, most new homes should require 40 to 50 percent less energy than comparable homes of today.

COMMONSENSE

Even greater savings are possible in commercial buildings, for many of them were carelessly designed in a period of cheap energy. Experience demonstrates that it is possible to reduce energy costs in existing buildings by 25 percent with little additional equipment. New business structures, if properly designed, will require half or less the

energy previously thought necessary. The new California State Office Building in Sacramento, as architecture professor Edward Dean of the Berkeley faculty put it, "will substitute common sense, new technology and good design for 80 percent of the energy otherwise required."

Take the case of daylighting. At the Lawrence Berkeley Lab, Prof. A. Rosenfeld employs Mylar strips on the upper edges of venetian blinds. The Mylar reflects sunlight onto the ceilings of each perimeter room, replacing great quantities of lights, which in turn would have required air conditioning for heat removal.

Windows of existing and new buildings can be shaded so that little sunlight leaks in during the warm months (except for that permitted for daylighting), while maximum sunlighting and, therefore, heat capture are assured in the winter when the sun is low. It is such ideas, dormant for years when energy was unimportant, that make the conservation potential so attractive.

Innovations of this nature also lower construction costs because they eliminate the waste in climate control systems. Overall, by proper design, we should within a few years be able to reduce the energy costs in existing buildings by 25 to 33 percent. In new buildings, the savings could range anywhere from 33 to 80 percent.

INDUSTRIAL HOUSEKEEPING

Industry uses 42 percent of our energy today. Most of that energy provides heat, not power, and so possibilities for immediate savings are easy to spot—waste heat, steam leaks, missing furnace insulation, oven doors left carelessly open, badly tuned boilers. In the past the low cost of energy enabled most firms to forget good housekeeping. Higher fuel costs should assure that industry will reduce the energy requirements of existing equipment by 10 to 15 percent in the foreseeable future.

Potential improvements in effectiveness are much greater because of the simple fact that use of heat in most industries is so inefficient. Indeed, research by the Thermoelectron Co., of Waltham, Mass., indicates that in most cases industrial heat use is less than 20 percent efficient. The company's scientists believe great savings are possible, through the use of new design and technology, in the process industries which use the largest percentage of our industrial energy: papermaking, oil refining, steel and aluminum, chemicals, cement making. These conservation practices will lower costs. Indeed, in the past, industry continually lowered energy requirements while increasing productivity.

Thermodynamics, the science of energy use, is still insufficiently appreciated in industry. Charles Berg, former chief engineer with the Federal Power Commission, contends that many processes considered efficient are really wasteful. In many metal fabrication processes, for example, the material is constantly heated, cooled and reheated. Berg argues that there is an urgent need for increased research in basic industrial processes.

The very notion of waste heat is under attack. What happens to the hot gases that emerge from today's high temperature furnaces and ovens? Though it is true that more and more factories use the exhaust to heat incoming air or materials, most gases are vented to the atmosphere, wasted. And yet high temperature heat is a resource—it can make steam to run electrical generating equipment, it can be piped for low temperature heat use, it can even be sold to surrounding communities for use in home heating, a standard practice in Sweden.

The most important of these heat-using processes is called cogeneration, meaning the simultaneous creation of electricity and usable heat. Though largely neglected in the

United States, this combined cycle process, engineers believe, can generate electricity and heat with four-fifths to three-quarters as much fuel as when the heat and electricity are produced separately.

The Thermoelectron firm, which has installed cogeneration equipment in many countries, may be considered an interested party, but there is reason to respect its view that at least a quarter of the nation's electrical needs could be generated "by recovering waste heat and by using combined cycles (cogeneration)." A study directed by Dow Chemical points to another advantage, noting that use of cogeneration would save billions of dollars in capital outlays. But electric utilities have shown considerable resistance to this more efficient competition from industry.

Overall, there is no reason why American factories should not be able to institute energy savings of 10 to 20 percent by 1985 to 50 percent by the year 2000. Smaller savings should be possible in construction, agriculture and energy extraction itself.

THE GAS-GUZZLERS

Transportation uses 25 percent of our energy, and automobiles alone consume half of this.

The possibilities for conservation are obvious. Trucks can be redesigned to reduce wind resistance and rolling friction and to utilize more effective engines. By the 1980s, long-haul trucks should require 20 percent less energy than today's models. Small trucks, while not as significant in the full picture as highway rigs, can make even greater proportionate savings; inefficient, high horsepower models should be replaced by lighter models with four-cylinder gas engines or diesel motors.

Moreover, changes in freight handling procedures should assure that trucks are more fully utilized. The simplest but perhaps most important change would be to permit interstate trucks to carry full loads in both directions rather than return home empty.

Strangely enough, today's commercial aircraft fleet suffers from similar problems—inefficient motors, designs which increase wind resistance and, worst of all, underutilization. An example of what can be done when necessity demands is the fact that, since the 1973 crisis, the percentage of occupied seats in commercial planes has risen to the point where we are saving at least 5 percent of the energy required to move people.

New designs should reduce airline energy use even further. By the 1990s we should have airliners requiring 80 percent as much fuel per passenger as today's models.

What of the automobile? We can double the mileage of our auto fleet with only a slight increase in the cost of new cars. In the longer run even greater increases are possible. Since most cars run with more empty than full seats, smaller cars seem acceptable in theory.

Incentive is important to improving the efficiency of autos, especially to meet the 27.5 MPG target mandated for Detroit by Congress. Whether consumers actually buy the right proportion of small cars that satisfy the standards depends on whether Congress will enact both a gasoline tax, affecting existing cars and driving in general, and a tax on the weight or horsepower of new cars.

The existing law tries to force Detroit to think small while consumers are tempted to buy large. Changing habits with taxes may be uncomfortable in the short run, and Detroit will resist, but the long run savings are too great to ignore.

Surprisingly, mass transit does not figure prominently in energy conservation scenarios in the near future. Only in the long run, when properly designed transit systems stimulate careful suburban growth mated to

revitalized central cities, will transit make an important dent on travel—and energy use.

To summarize, prospects for conservation in transport use of energy are great. Auto fuel use should soon begin to decline. It is realistic to believe that the projections—made before the 1973 crisis—of auto fuel use in the year 2000 can be reduced by at least 40 percent and perhaps as much as 60 percent. The very volume of travel will grow more slowly than in the past.

It is clear that the overall potential for reduction of energy needs to perform key tasks—production, space conditioning and transportation—can be enormous in the medium and long term. Modification of existing buildings and factories and smaller automobiles will have the first impact (during the next five years) while replacement of inefficient appliances, industrial plant and buildings goes on at a slower rate but begins to add up to larger savings in the 1980's. Many who have looked closely at the uses of energy see a reduction of nearly 40 percent of the energy used per unit of activity compared with the projections offered by the Bureau of Mines a few years back. Since these results will not appear immediately, however, Congress, the President and the American people will have to be patient.

It is neither reasonable nor necessary to expect people to give up basic conveniences. But small adjustments in behavior patterns—turning thermostats down in winter, shutting curtains at night, generally exerting more care in energy use at home, at work, on the road—will result in considerable savings.

And gradual, evolutionary changes in American lifestyles can have an energy-saving impact. To give but one example, careful urban and land-use planning could have a tremendous effect by permitting us to live nearer to work and services and by providing the patterns of living and community necessary if mass transit is to increase its share of passenger traffic.

But issues of urban planning, mass transit, railroads versus trucks, urban sprawl vs. high density apartment living, while they affect energy needs enormously, must not be decided solely on the basis of their energy impacts. Thus, should we remove the tax deduction for mortgage interest payments solely because this subsidizes single family homes over apartments dwellings and encourages greater use of autos and heating?

Clearly, the Carter administration decisions on energy must take into account the broader questions of lifestyles and national goals.

At the same time, it is evident that, with education, government and business leadership, and a consensus on the reality of the energy problems, it is likely that Americans might reduce energy needs at least 10 percent below the savings offered by technical means alone, over the next few decades. In the long run the changes could be even bigger.

THE OBSTACLES

Nature's laws, our technological capacity, our intellectual ingenuity, the adaptability of our people—none of these stands in the way of energy conservation. What, then, is delaying realistic conservation policy and action?

Perhaps the greatest obstacle is the myth of cheap energy. The cost of adding one barrel of oil or any other form of energy to our supply is considerably greater today than what we charge ourselves when we use that energy. This is what economists call the difference between the "marginal cost" (of new supply) and the "average cost" (of all existing supply). If we were to take the higher "marginal costs" into full account, the resulting rise in prices would be dramatic—and, doubtless, so would our conservation effort.

But price controls and most utility rate structures for electricity and gas do not yet allow us to practice "marginal cost" pricing. Therefore, it is crucial that political leaders and the public recognize that our energy prices are unrealistically low, that is a sense we live in a fool's paradise.

The picture is also distorted by our national refusal or inability to include the social and environmental costs of energy in pricing. Deep-mined coal may be cheap and it is often used inefficiently, but the taxpayer carries the burden of black-lung rehabilitation for the coal miners who dig that coal. Strip-mining, auto pollution, industrial emissions, nuclear risks also have their unpaid costs.

There are other pricing distortions. Utilities now are campaigning to increase the tax credit when they invest their income in new capacity. This would amount to a subsidy. The oil and gas depletion allowance is also a subsidy. But homeowners who take the trouble to insulate their dwellings do not receive similar tax credits. Thus, the government rewards production and inhibits thrift.

Another barrier to conservation is the stance of many important industries. Some oil companies and electricity producers persistently misrepresent energy needs and conservation prospects. The auto industry drags its heels and one of its top leaders recently blasted the idea of a tax on gas-guzzling cars.

Some in industry like to tell us that the "free market" will handle our problems. But the market is not and cannot be free—the federal government has subsidized energy in some areas, held the price down by controls in others, regulated the activities of energy producers to protect the environment and the public.

THE ACTIONS NEEDED

What can be done? It is clearly in the national interest for the government to step in with enlightened regulations, a flow of helpful information and direct aid. Some of the required steps are obvious:

Efficiency standards for cars, trucks, appliances and buildings are needed, because the producer pays little attention to operating costs and the buyer usually is concerned only with the purchase price. Intervention here will, it goes without saying, increase the overall efficiency of the economy.

Consumers and small businessmen often have difficulty raising capital at low rates for improvements. Banks and, indeed, utility companies should be encouraged to assist in the financing of energy efficiency, for measures such as insulation and double-glazing represent low risks with high payoffs.

Tax incentives would encourage businessmen and consumers to take conservation steps. Action here is urgently needed because as one insulation firm executive put it, "uncertainty is deadly. People are waiting for a firm policy before they decide what to do."

Standards for new factories are probably unnecessary since, in the nature of things, plant designers must take long-term energy costs into account—their products would be too costly if they did not. But it is clear that government must utilize progressive regulations to encourage auto producers, utilities and manufacturers to avoid waste in new products and in existing plants.

Rising costs will hit the poor hardest. The national government must provide a buffer for that section of the population in the form of direct cash aid and financial help and advice in conservation measures.

But we cannot delude ourselves by maintaining the fiction of low energy prices for all consumers. The public must be made aware of the rising real cost of energy by means of gradual and predictable increases

in energy prices. Knowing what to expect, businessmen and consumers could plan accordingly.

Such realistic price increases, however, should not result in undue windfalls for energy producers. The answer, a virtual necessity, is a tax on energy. The tax would have to be large, increasing over a period of years to as much as \$6 per barrel of oil. This would work out to about \$1 per thousand cubic feet of gas, \$25 per ton of coal, 1 cent per kilowatt hour of electricity.

This would bring enormous sums of money into the government, sums that would have to be returned to the economy immediately. Refunds could take place by reducing other taxes, especially more regressive ones like sales taxes. Some of the funds could go directly to aid low-income consumers, or provide funds for energy conservation loans and extension services. Or all the money could simply be rebated directly to consumers.

What is important is that we raise the cost of energy relative to other resources or goods and services without removing anything from the economy. The alternative is to allow the energy producers, or OPEC, to extract higher energy prices or run the risk of either sudden or gradual supply shortfalls. The faster the demand grows, the more the real cost of production rises. The imposition of a tax could slow this escalation. Ultimately, we own our own domestic resources: We may be selling them off too cheaply.

Is energy really scarce? Pronouncements from industry, consumerists and even environmentalists which quote only amounts of fuel in the ground are of little meaning. We need to take into account the cost of these supplies, extraction technology and the environmental risks as well. Moreover, the argument that some producers are "holding back" supplies is not important in the long run; the quantities involved are too small to make much of a difference. Given all the uncertainties in future supplies and costs, however, it is far better to hedge our bets with conservation today, especially against threats of embargos or cruel winters.

HELPING THE ECONOMY

There is no logical reason to fear that the slower growth of energy consumption will drag down the overall growth of the economy. An interim report of an ongoing National Academy of Sciences energy study had this to say: "There exists substantial technological leeway, over the long term, in the amount of energy required for a given rate of growth of GNP and employment."

Conservation will allow us to save tens of billions of dollars of energy-related investments and expenditures. These sums could be funneled into the rest of the economy, which produces considerably more employment per dollar invested or spent. For example, efforts to build better homes and save energy in factories inevitably will result in increased demand for construction labor. On the other hand, without the benefits of significant conservation, consumers and businessmen will have to sacrifice increasing shares of present and future income to pay for more expensive and underutilized energy. Thus, conservation is a boon to employment and the economy as a whole.

Is conservation sacrifice, as the administration is fond of murmuring? Not if we acknowledge that energy is scarce and appreciate the economic benefits of more effective use. Not if we take into account reduced risks to national security and the environment. Not if we take into account the downward pressure on energy prices that conservation exerts. Not if we value reducing our imports of oil and gas.

Conservation is not always easy, but it demands less "sacrifice" than pushing for "too much energy supply, too soon," as Berkeley Prof. John Holdren warns.

At today's unrealistic prices, it is clear, we do indeed waste more energy than we import. If we utilize all the possibilities for improving energy use in the long run, much of our projected energy needs will become superfluous. But reducing waste entails a strong commitment to investment, adaptation and, most important, careful thought. As Kenneth Boulding, former president of the American Economic Association, put it: "Conservation is just thinking before using energy."

Lee Schipper:

"If the administration is to evolve a realistic energy conservation program, it must take these basic steps:

"Decide what energy is worth and begin to price it accordingly, protecting the minority who will be hurt most from higher prices in the short run.

"Design and implement strong conservation policies in concert with other national goals and with recognition of marketplace realities. Several billion in federal dollars could be productively spent in the next five years patching energy leaks.

"Decouple the conservation effort from the divisive bickering over political issues of supply. The best way to make energy available today is to conserve it.

"Realize that many of the benefits of a conservation effort will appear long after the present terms of today's elected leaders. Our political leaders, therefore, must be prepared to make unpopular decisions."

DUDLEY D. MILES

Mr. YOUNG. Mr. President, I join my colleagues in mourning the untimely passing of Dudley Miles and extend to his family our deepest condolences.

Dudley came to Washington 16 years ago to work on the staff of Senator Gale W. McGee, of Wyoming. Dudley has served as clerk on the Agriculture and Related Agencies Subcommittee of the Senate Appropriations Committee since 1971.

Mr. President, as ranking minority member of the Committee on Appropriations and as a member of the Agriculture Subcommittee, I had the opportunity to call on Dudley for assistance many times. He was always most helpful. Everyone that worked with Dudley was his friend and he became well known and highly respected by Senators and staff members. He will be greatly missed.

In addition to his responsibilities here in the Senate, Dudley was deeply devoted to his family. To his wife, and to their three children, I express my sadness and share, in some measure, their grief.

THE UNITED STATES AND WORLD DEVELOPMENT: THE OVERSEAS DEVELOPMENT COUNCIL'S AGENDA 1977

Mr. HUMPHREY. Mr. President, last month, the Overseas Development Council released its Agenda 1977. As many of my colleagues are well aware, the Agenda, which is an annual publication of the ODC, is a valuable tool for assessing the relationships between the United States and the developing countries.

As the summary of Agenda 1977 points out:

The leadership of the United States passes to President Carter at one of those moments in history when circumstances combine to

make change possible on a scale that was previously unthinkable. Developed and developing countries alike are recognizing the need for fresh approaches to solve the global problems that face them all—from food scarcity and energy shortages to nuclear proliferation and the plight of the nearly one billion people in the world living in abject poverty. The United States, under a President who bears no burden of prior identification with past disputes, has a unique opportunity to stimulate cooperation on global problems that no one nation can resolve alone. The question is, will the opportunity be seized.

Yet, uncertainty still dominates our approaches to these problems. Some feel that even though it will be politically difficult, the moment is at hand to begin a broad reform of the international economic and political institutions created after World War II and at the same time substantially increase support for programs designed to enable the world's poorest billion people to meet at least their minimum basic human needs within the remainder of this century. Others feel that political realism will dictate that only marginal changes be made even though the consequences, in the long term, will be detrimental to developed and developing countries alike.

Agenda 1977 analyzes these broad policy choices and makes a series of specific policy recommendations on a range of issues including human rights, energy, trade, debt, arms transfers, and food. An important addition to this year's volume is a newly developed "Physical Quality of Life Index"—PQLI—designed to be used in conjunction with gross national product which measures the output of goods and services as an indicator of the progress of individual countries in terms of human well-being.

The Agenda concludes that it would be possible to eradicate the worst aspects of absolute poverty for the world's poorest billion by the end of this century if only we have the wisdom, understanding, and will to do so.

Agenda 1977 is an extremely valuable policy tool, one which I would urge my colleagues to give the closest scrutiny.

Mr. President, I ask unanimous consent that the Agenda 1977 summary be printed in the RECORD.

There being no objection, the agenda was ordered to be printed in the RECORD, as follows:

THE UNITED STATES AND WORLD DEVELOPMENT:
AGENDA 1977

"The industrial democracies should resist the temptation to see the current North-South dialogue as a situation in which losses are inevitable and negotiations are primarily designed to gain time or preserve the status quo. Rather, they should treat it as an extraordinary opportunity for initiating, in the words of President Carter, 'a common effort'—which, by the end of this century, could create a world that not only better serves the already advantaged, but also is free of the worst aspects of absolute poverty and repression."—Theodore M. Hesburgh and James P. Grant, Introduction, Agenda 1977.

AN OPEN MOMENT IN HISTORY

The leadership of the United States passes to President Carter at one of those moments

in history when circumstances combine to make change possible on a scale that was previously unthinkable. Developed and developing countries alike are recognizing the need for fresh approaches to solve the global problems that face them all—from food scarcity and energy shortages to nuclear proliferation and the plight of the nearly one billion people in the world living in abject poverty. The United States, under a President who bears no burden of prior identification with past disputes, has a unique opportunity to stimulate cooperation on global problems that no one nation can resolve alone. The question is, will the opportunity be seized.

In an unprecedented Inauguration Day statement to the "citizens of the world," President Carter pledged his Administration to "be more responsive to human aspirations" and to take the lead in the effort to guarantee freedom not only from political repression but from poverty and hunger as well. He called on other nations to join with the U.S. in "a common effort" to pursue these goals. What can the U.S. do now to signal its willingness to respond constructively to global problems? What shape might this "common effort" take? Agenda 1977 analyzes and discusses these questions.

A RAPIDLY CHANGING WORLD SETTING

The international order created after the Second World War has shown itself to be inadequate to changing patterns of economic growth and the increasing interdependence of nations. Both the developed countries of the North and the developing countries of the South agree on the need for a major overhaul of existing economic and political systems. This process of renegotiating the world order is already under way in a variety of forums, where a changing political climate is evidenced by the demands of the developing nations for a greater role in global decision-making. The U.S. has recognized that no one nation dominates the international scene and that it needs to treat its relations with the developing countries as a mainstream element of its foreign policy. It is also clear that the importance of U.S. economic relations with the developing countries continues to grow. The U.S. sells more of its goods to the developing countries than to the European Communities, Eastern Europe, and the Soviet Union combined (see "U.S. Trading Partners" chart, page 3), while developing countries provide it with both critical raw materials and low-cost consumer goods.

A NEW FOCUS ON BASIC NEEDS

The developing countries as a group were well on their way to exceeding the 6 percent annual growth target set for the 1970s when they were hit in 1974 with sudden and massive increases in the cost of essential imports such as oil, fertilizer, and food, and subsequently by a global economic slump. The stronger of these countries pulled through at the cost of reduced imports, diminished foreign exchange reserves, and a soaring national debt. The weaker required infusions of emergency aid and lost their chances for any significant development progress for the rest of the decade.

This dramatic change in development prospects hastened a rethinking of development strategies that was already under way. In the previous two decades, the developing countries experienced steady growth, some at rates unparalleled even in Western economic history. Despite this past record, the gap between rich and poor continues to widen today, both between countries and within them. If the per capita income of the world's forty poorest countries (population 1.2 billion people) were to grow at the rate of 3 per cent annually from now until the

end of the century—which is highly optimistic—it would only then begin to approximate that of Britain and the U.S. in 1776. The old development strategies raised the gross national product of these countries, yet left almost a billion people living in chronic poverty.

A growing number of experts are coming to the conclusion that only major policy changes can bring about a change in the fortunes of the poorest fourth of humanity. The new strategies being proposed emphasize equity and the need to meet the basic human needs of the poor. Unlike the strategies of the previous twenty-five years, they assume that economic growth and greater equity in the distribution of its benefits are complementary, not contradictory. It is now thought that the right combination of domestic policies and reforms of international economic systems could overcome the worst aspects of chronic poverty by the end of this century.

OPTIONS FOR PRESIDENT CARTER

It is essential that an overall policy for dealing with the developing world be established by the new Administration from the start. Already scheduled North-South negotiations must be prepared for almost immediately. In the first half of 1977, President Carter will make decisions on commodity agreements, trade negotiations, debt management, and arms sales to developing countries; he will have to coordinate strategy with the major Western trade partners of the U.S. in the OECD for important talks at the Paris-based Conference on International Economic Cooperation (CIEC) as well as at the U.N. If these problems are dealt with on an issue by issue basis, what seem like logical policy decisions now may prove in the long run to be mutually inconsistent and in some cases detrimental to U.S. relations with the developing world.

Several differing perspectives and options on North-South relations are examined in detail in Agenda 1977, illuminating the complexity of the development policy choices before the Carter Administration. In brief, the United States can attempt to defuse confrontations with the Third World by making only the minimum changes necessary—step by step. Or it can actively explore and adopt new policies to speed change in directions beneficial to developed as well as developing countries. Or, in varying combinations with the first two options, it can support a basic human needs strategy aimed at eliminating the worst aspects of absolute poverty worldwide by the year 2000.

If the Carter Administration selected the first option, it might adjust present policies slightly, implementing them more effectively than the U.S. has in the past. It could, for example, make available some increased support in areas such as development assistance and trade preferences, or act on recently proposed measures such as the "development security facility" to stabilize export earnings put forward by former Secretary Kissinger in 1975. The prime objective of this approach would be to reduce the potential for confrontation between North and South, although the U.S. would presumably continue to emphasize bilateral relations with some of the stronger developing nations, such as Brazil, Saudi Arabia, and Iran.

The second option would take President Carter beyond the marginal change of the first and into a commitment to a broader and more significant range of reforms. The proposals that make up the "New International Economic Order" called for by developing countries at the 1974 and 1975 special sessions of the U.N. General Assembly would be carefully examined, and those judged

beneficial to the international economy as a whole would form the nucleus of the U.S. negotiating position. But the U.S. would go beyond these, in some cases supporting proposals which would spur development in the South at some cost to the North—a cost which would be justified on grounds of prudent statesmanship or moral responsibility.

Option three would aim more directly at meeting the basic human needs of the world's poorest billion people. U.S. policy here would be to try to overcome the worst aspects of this poverty and to attain specified minimum standards of nutrition, health services, and basic education by the end of the century.

The three "options" clearly are not watertight alternatives; elements of the basic needs approach presented as option three could be incorporated into either of the first two options.

RECOMMENDATIONS FOR U.S. POLICY

Agenda 1977 suggests an approach that would lay the basis for action on options two and three—the accelerated reform and basic needs strategies—but would start with the swift implementation of option one "marginal" changes that are not inconsistent with the two more ambitious options. This alternative would call for early and simultaneous action to 1) begin some far-ranging reforms of existing international economic institutions and practices, and 2) substantially increase support for programs to provide adequate food, nutrition, health care, and education for the world's poorest people.

TRADE IN MANUFACTURES

After much preparatory work, developed and developing countries are this year beginning serious multilateral trade negotiations. For developing countries, which derive nearly 40 per cent of their non-oil export earnings from manufactured exports, the outcome is critical.

The developing countries' manufactured exports grew an average of 25 per cent annually from 1965–1973, boosted in the 1970s by tariff preferences which allowed certain of their exports duty-free entry into the markets of the developed countries. This has resulted in lower prices of these goods for the consumers in the developed countries but has also significantly hurt some workers and firms. Consequently, important segments of the developed countries' labor movement and industrial sector, particularly in the U.S., oppose trade liberalization.

The potential gains for both developed and developing countries from trade liberalization are great. If all barriers to importing their manufactured goods were eliminated, the developing countries could increase their earnings by as much as \$24 billion; and these increased earnings would largely be spent on goods from industrialized countries.

The U.S. should therefore: 1) press vigorously under existing legislation for the largest possible average tariff reductions; 2) continue to improve the U.S. Generalized System of Preferences (GSP); 3) refrain (with other industrial countries) from raising trade barriers, even as a corrective measure in balance-of-payments crises; 4) improve programs to assist domestic groups in adjusting to changes in international trade.

COMMODITY ISSUES

Developing countries' export earnings from raw materials other than oil still account for more than half of their non-oil export revenues. Commodity policies therefore are an important part of their strategy for a New International Economic Order. Intensive negotiations on commodity agreements will be taking place this year and next in the U.N. Conference on Trade and Development (UNCTAD). Though both developed and developing countries would benefit from commodity agreements that stabilize prices, the

two groups have differing concerns on this question. Developing countries prefer an "integrated approach" that would include a common fund to support buffer stock operations for a variety of commodities. The U.S. thus far has opposed the idea of a common fund, but has supported expanded efforts to compensate the developing countries for shortfalls in export earnings.

U.S. Trading partners 1975

	(In percentage)	
	U.S. Exports	U.S. Imports
	(\$ billion)	
	(\$107.7)	(\$96.9)
Canada	20	23
European communities	21	17
Japan	9	12
Other developed market economies	10	6
OPEC	10	18
Other developing market economies	27	23
Centrally planned economies	3	1

The U.S. should: 1) make an unequivocal commitment to participate in negotiations on a common fund for buffer stocks and on individual commodity agreements, without committing itself to either until negotiations are completed; 2) continue support for existing compensatory financing plans; 3) assess and help develop the potential for increased processing of raw materials within developing countries.

ENERGY

Until recently the U.S. has taken a narrow parochial approach to the energy problem, focusing its diplomatic efforts on lowering oil prices and on the chimera of energy "independence." But solutions to the world energy problem must take into account the energy needs of both the developed and the developing world if they are going to serve either.

A global approach to energy would involve helping energy-poor developing countries pay for their energy imports, assisting them in developing untapped energy resources, emphasizing a nuclear energy policy stressing safety, and leading a worldwide research and development effort on renewable energy sources.

The long-run needs of the U.S., other industrialized countries, and the Third World probably will be better served by helping the developing countries to become less dependent on imported oil and developing more secure energy sources. With U.S. and other outside assistance, many Third World countries could avoid growing dependence on fossil fuels by moving now to concentrate on developing their ample renewable energy resources.

The U.S. should: 1) develop a coherent national energy policy that recognizes the energy crisis to be a global problem that needs a global approach; 2) support creation of a World Energy Council to collect global energy data and conduct global energy analyses; 3) drastically increase federal research and development expenditures on renewable sources of energy—including small-scale sources; 4) take the lead in convening a world conference on alternative energy sources.

ARMS TRANSFERS

Arms aid and sales have been a major component of U.S. economic transactions with the developing countries in the past twenty-five years. The United States provided 45 per cent of the military equipment delivered worldwide in 1974, far exceeding such transfers from the Soviet Union and other European countries. Moreover, Third World sales orders have risen eightfold since 1970, and are likely to remain high.

Congress has in recent years tried to rein in U.S. arms transfer policies, but the Executive Branch has resisted. Proponents claim that the sales contribute directly to American security by fostering regional stability and increasing U.S. influence, and aid the domestic economy. Opponents argue that arms transfers often produce regional instability, raise the risk of U.S. involvement in local conflicts, hinder Third World development, and help repressive regimes.

The new Administration has pledged to reduce arms transfers, but the U.S. needs a new, comprehensive policy in this area.

The U.S. should: 1) review U.S. arms transfer policy with the aim of reducing transfers substantially in the next five years; 2) take the lead in consulting with other major arms exporters on ways to reduce supplies, and with developing countries on ways to reduce demand.

DEBT

The growing debt of the developing countries is an issue that belongs high on any international economic agenda. Since 1972, the debt of the non-OPEC developing countries grew 80 per cent, reaching \$165 billion by the end of 1975. Private banks have become an important source of credit for some of these countries. However, the "world debt problem" is actually a series of problems faced by individual countries (both developed and developing). Debt per se is not dangerous. The danger comes when the debt burden grows so heavy that badly needed development efforts have to take a back seat to repayment. Moreover, the debt problems of the middle-income and low-income developing countries differ greatly. The former still have good long-range growth prospects; the outlook for the latter is bleak unless special measures are taken.

Debt relief efforts should aim to preserve the international credit system, strike a sensible compromise between the Third World's across-the-board debt relief demands and the reluctance of the creditor countries to agree to such solutions, establish international credit guidelines, and recognize that the ultimate solution to middle-income developing country debt lies in reforming world trade and commodity systems.

The U.S. should: 1) urge immediate international review of the debt problems of all low-income countries with the primary aim of revitalizing their development and not merely of maintaining debt service; 2) express willingness to consider official debt relief for any middle-income countries whose debt problems hamper their development programs; 3) recognize that the long-term interest of all sides is served if private banks continue to lend to the developing countries.

OCEANS ISSUES

The law of the sea talks encompass many of the issues and proposals involved with restructuring the international economic system. Questions which arise at these negotiations are bound to come up at future talks dealing with the common use of international resources.

The stalemate reached at the latest session of the U.N. Law of the Sea Conference produced considerable pessimism among participants and observers concerning the chances for a comprehensive oceans treaty. But overlooked were the achievements which have been reached since 1974; these include agreements on 12-mile territorial seas, 200-mile economic zones and unimpeded passage through international straits, an interim agreement on the environment, and a consensus on internationally supervising the exploitation of the resources of the deep ocean.

The talks have split not only developed and developing nations, but also landlocked and coastal states. The landlocked worry about being denied their share of the oceans' wealth by the coastal states; the Third World

fears that transnational corporations that are already able to mine the ocean floor will dominate deep-sea mining schemes.

Despite these differences, all nations stand to gain from a comprehensive oceans treaty. The U.S. should: 1) press for early agreement on a comprehensive law of the sea treaty; 2) search for a compromise on the international seabed authority that will guarantee some international control over mining while meeting the needs of private concerns already able to exploit ocean resources.

TECHNOLOGY TRANSFER

The economic successes of Japan, Taiwan, South Korea, and other nations demonstrate the importance of using technology to increase development progress. Other developing countries realize this but feel victimized by the monopoly they consider transnational corporations to hold on this know-how. In general developing countries want easier access to new technology on more favorable terms and increased capacity to adapt and create technologies to suit their own needs and development goals. This will require intensified efforts in this field both within and among developing countries themselves, but outside support—both multilateral and bilateral—can be much more effective than it has been.

The U.S. can help by: 1) implementing the commitments concerning technology already made; 2) supporting efforts to develop codes of conduct for technology transfer and to revise international patent laws; 3) giving a high priority to the U.N. Conference on Science and Technology scheduled for 1979.

FOOD SECURITY

Better weather substantially improved the 1976-77 crop outlook over the previous year, but medium- and long-term world food security is in fact as precarious as ever. The need for food has consistently outstripped food production during the 1970s. Given the rate of growth of the cereals deficit in the developing countries, bad weather in any major producing area could mean an even worse famine than the one experienced in 1972-73.

The World Food Conference of 1974 set three objectives for improving world food security: to establish a minimum level of food aid for the short term, to set up a grain reserve system for the medium term and, as the only long-term solution, to increase food production in the developing countries.

In 1977, Congress is due to reexamine most major U.S. food and agriculture legislation, from Food for Peace to food stamps. It is essential that a unified policy approach be taken to both the international and domestic aspects of the issue.

The U.S. should: 1) encourage increased food production and improved distribution in developing countries through an increased commitment to bilateral and multilateral development assistance programs; 2) resume negotiations aimed at establishing a world food reserve; 3) commit itself to guaranteeing an annual minimum of food aid on the basis of three-year advance commitments. In both food sales and grants, priority should be assigned to countries experiencing the greatest need.

BASIC HUMAN NEEDS

Of the nearly one billion people living in absolute poverty in the world, 750 million (nearly two-thirds) are in the low-income countries, 170 million in middle-income countries, and 20 million in the richer countries. Per capita income in the poorest countries averaged \$150 in 1973. These countries are pervasively poor in a way that was not true of today's rich countries in the early stages of their own development.

There is a growing consensus among specialists that economic growth and a more equitable distribution of its benefits are compatible goals—that with political will and an

emphasis on programs aimed directly at the poor, the minimum basic needs of the poorest billion could be met over the next twenty-five years. In its recent report to the Club of Rome, the "Tinbergen Group" called for the following global basic needs goals for the year 2000: life expectancy, 65 years or more (compared to the low-income countries' present average of 48); literacy rate at least 75 percent (compared to 33); and infant mortality, 50 or less per 1,000 births (compared to 125).

The goal of meeting the basic needs of this segment of the world's population could be met at an estimated cost of \$10-15 billion a year over present aid levels. The \$10 billion figure would be feasible a) if developed countries would reach or exceed an aid level of one-half of 1 percent of their gross national product; b) if some portion of aid now going to middle-income countries were redirected to low-income countries; and c) if the increases were earmarked for basic needs uses such as jobs, health, and nutrition.

The U.S. should: 1) significantly increase its financial support to basic needs programs in low-income countries; and 2) explore the extent and forms of cooperation among the industrial democracies and developing countries to attain basic needs goals in all developing countries over the next generation.

POPULATION

The world's population has grown rapidly in the past twenty-five years, mainly in the developing countries, because death rates have until recently declined faster than birth rates. Currently, overall population growth rates have begun to decline due to increases in economic and social well-being and greater availability of family planning services. To lower the birth rate as rapidly as possible toward a stable level, much more focus is needed on alleviating negative factors that motivate large family size—on improving health care, nutrition, employment, education, and the status of women.

The U.S. should: 1) assess the impact of basic needs programs on decisions concerning family size; 2) greatly increase research efforts to develop more effective and acceptable methods of fertility control; 3) significantly increase support for expanding acceptable family planning programs in the developing countries.

HUMAN RIGHTS

The human rights issue is becoming highly sensitive as developed and developing countries continue to disagree vigorously on defining that term. The industrialized world stresses the political and civil liberties in the first half of the U.N. Universal Declaration of Human Rights, but the developing countries point to the wide-ranging economic and social rights in the Declaration's second half. The situation is complicated by the fact that many Third World governments are, in varying degrees, authoritarian.

Human rights recently has become a subject of contention in the U.S. between the Executive and Legislative branches of government, as the Congress has had human political rights strings to foreign military and economic assistance legislation. But the legislators have also addressed themselves to economic and social rights, as when both houses passed "Rights to Food" resolutions.

Cutting foreign aid to punish human political rights violators is a popular idea, but cutting development assistance in particular is usually a weak lever on repressive regimes. A more comprehensive and effective approach is needed. Moreover, U.S. aid efforts in recent years have concentrated on reaching the poorest people in recipient countries. Aid cuts are likely to punish them, not their rulers.

The U.S. should: 1) ensure that its development assistance funds go to projects which directly benefit the poor majority in Third World countries; 2) actively seek to estab-

lish international criteria for identifying "gross violations" of political human rights—preferably in cooperation with international organizations; 3) consider what range of policies will effectively promote both economic and political human rights.

DEVELOPMENT ASSISTANCE

Most of the poorest countries will need aid in one form or another for at least the balance of this century. The U.S. currently contributes less than 0.3 per cent of its gross national product to programs of "official development assistance"—bilateral grants and loans or contributions to multilateral institutions such as the World Bank or the U.N. Development Programme. Adjusted for inflation, the total amount of U.S. development assistance has declined by nearly 50 per cent since 1963. If this country is to support efforts to alleviate the worst effects of absolute poverty, these programs require special attention in 1977. The bilateral legislation that was rewritten in 1973 to direct aid to the poorest people within the poorest countries requires reauthorization, and the U.S. is in arrears in its contributions to the World Bank's International Development Association (IDA), the regional development banks, and some U.N. agencies. The next replenishment of IDA also must be authorized in 1977.

The U.S. should: 1) commit itself to increasing levels of official development assistance to a level of 0.5 per cent of GNP by fiscal year 1981, with at least 75 per cent of these funds going to countries with per capita incomes of under \$300; 2) urge an early decision on the fifth replenishment of IDA at a level of \$8.1 billion for the OECD countries; 3) support prompt Congressional action to increase the capital of the World Bank; 4) explore with both developed and developing countries ways to provide automatic sources of assistance for low-income countries; 5) complete a comprehensive review of U.S. development assistance by 1978.

ORGANIZING FOR INTERDEPENDENCE

The resumption of North-South negotiations in the immediate future will be complicated by the lack of effective institutions that encompass the broad range of discussions now going on between developed and developing countries.

Existing international structures are accused by some of being too unwieldy (the U.N. General Assembly) or too exclusive (the International Monetary Fund). Perhaps the best indication of the need for mechanisms more acceptable to all sides was the creation of the 27-nation CIEC in Paris, made up of a carefully balanced group of OECD, OPEC, and other developing countries; yet CIEC had only a one year life span and will not be renewed unless all participants want to see it continued. In deciding on new and reformed institutions, it will be important to ensure that the interests of all major groups of nations are represented.

To deal effectively with the global issues outlined in *Agenda 1977*, including the new approaches needed to development cooperation, the Carter Administration also should reorganize and improve coordination among various branches of the U.S. government.

A QUALITY OF LIFE INDEX: THE PQLI

The need for a quality of life index as a supplement to GNP figures has been recognized for some time—notably by the U.N. Secretary-General and by the recent "Tinbergen Group" report to the Club of Rome.

The Overseas Development Council has introduced a Physical Quality of Life Index (PQLI) that can be used in conjunction with the per capita GNP indicator to assess each country's progress in terms of human well-being. The PQLI index—which is a rough but useful composite measure of life expectancy, infant mortality, and literacy—is described and shown for all countries in the Statistical Annexes of *Agenda 1977*.

Development performance by two standards

Country groups and sample countries:	Per Capita GNP	PQLI Index*
Lower-Income Countries (average) -----	152	39
India -----	140	41
Kerala, India -----	110	69
Sri Lanka -----	130	83
Lower Middle-Income Countries (average) -----	338	59
Cuba -----	540	86
Malaysia -----	680	59
Korea, Rep. of -----	480	80
Upper Middle-Income Countries (average) -----	1,091	67
Gabon -----	1,960	21
Iran -----	1,250	38
Algeria -----	710	42
Taiwan (ROC) -----	810	88
High-Income Countries (average) -----	4,361	95
Kuwait -----	11,770	76
United States -----	6,670	96
Netherlands -----	5,250	99

*Composite of life expectancy, infant mortality and literacy figures, each rated on an index of 1 to 100.

PRESERVATION OF THE NATION'S PRIME AGRICULTURAL LANDS

Mr. METCALF. Mr. President, when Interior Secretary Cecil Andrus appeared before the Subcommittee on Minerals, and Fuels—now the Public Lands and Resources Subcommittee—on February 7, 1977, to testify regarding the Surface Mining Control and Reclamation Act of 1977 (S. 7), he urged early passage of the bill, stressing the importance of preserving the Nation's prime agricultural lands.

Secretary Andrus has now followed up those initial comments with a detailed series of recommendations for improving S. 7.

Among the Secretary's recommendations are the establishing of a 5-year moratorium on surface mining in prime farmlands, strong endorsement of the principle of return to the approximate original contour and elimination of all highwalls, addition of a "grandfather" exemption to the section relating to protection of alluvial valley floors, and the allowance of mountaintop removal mining without requiring a variance where all spoil is retained upon the mountaintop.

In view of the significance of Secretary Andrus' recommendations, I ask unanimous consent that his report to the Energy and Natural Resources Committee be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., April 1, 1977.
Hon. HENRY M. JACKSON,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter supplements the Administration's views set forth in our letter of February 4, 1977, on S. 7, the "Surface Mining Control and Reclamation Act of 1977."

We strongly support your efforts to provide sound strip mine legislation. S. 7 provides a framework for administering a comprehensive, workable, surface mining and reclamation program. We would like to present our views and to offer some amendments in addition to those previously sent which we believe will strengthen the bill.

TITLE II—OFFICE OF SURFACE MINING AND RECLAMATION

This Administration strongly supports the creation of an independent Office within the Department of the Interior. In anticipation of passage of the strip mine bill, the Department has begun to work toward smooth implementation of the bill's provisions and to establish the new Office. To allow for the best overall management arrangements, however, we recommend that the statute not require the Office to report directly to the Secretary and that it be clearly authorized to use the personnel of other agencies to carry out the program.

TITLE III—ABANDONED MINE RECLAMATION

We suggest provisions to establish State managed abandoned land programs. We recommend that until a State's full regulatory program is approved, allocation of its 50% share of funds not be made and that there be no funding of any State abandoned land program. Until such approval is given, the Secretary should also have authority to withhold expenditures for the Federal abandoned land program for a State under section 305. This would encourage the States to obtain approval for a strong State regulatory program rather than allowing a Federal program to be established for that State. The Secretary should not be prevented, however, from expending unearmarked funds within a State where there was not an approved regulatory program; thus in cases where reclamation work would be urgently needed it could be accomplished.

In order to assure that reclamation is accomplished on abandoned lands as quickly as possible, section 305 should be changed to insure that the first two objectives of the fund specified in section 302, the protection of public health and safety and the prevention of continued environmental harm, be accomplished before money could be spent on public facilities, except for emergency situations.

The program under section 304, Reclamation of Rural Lands, should be preserved. This program will benefit many communities by assuring that the expertise of the Department of Agriculture in reclaiming disturbed lands is put to good use.

Allocating the reclamation fee money in slightly different proportions would provide increased money for areas where there are the most severely disturbed lands. We recommend providing financial assistance for obtaining hydrological data for permit applications of mines producing under 100,000 tons per year, but doing so on a cost-sharing basis with the operator providing 25 percent of the amount necessary for data and analysis. The reclamation fee money would provide the other 75 percent. Additionally we recommend adding a provision for cost recovery in cases where a permit application is not made after the hydrological data financed from the Fund have been collected and analyzed.

We also are of the view that the 50 percent share reserved for expenditure in the State or Indian lands where collected should be determined after 10 percent is allocated for hydrological studies and 20 percent for the Rural Lands Program. This would provide further funds for States having the largest amount of abandoned coal mined lands. Funds reserved to the State or Indian land where collected should be available also for non-coal mine reclamation.

TITLE IV—CONTROL OF THE ENVIRONMENTAL IMPACTS OF COAL SURFACE MINING

We support a timetable for implementing the performed standards which provides that Interior regulations are to be issued three months after enactment; new mines must comply six months after enactment and existing mines must comply nine months after enactment. The permanent regulatory program regulations must be promulgated within a year after enactment. This timetable is

contingent, however, upon express provision that no environmental impact statement be required for the Interim program regulations. For consistency, the Federal and Indian lands program should also be slated for implementation one year after enactment.

Although the Department does not foresee having to intervene in State regulatory programs often, the bill currently provides no method of intervention in cases where the State program may be faltering in only one or two areas short of State program revocation. In these instances the Department needs the authority to review selected permits. We recommend adding a provision which would permit limited intervention without withdrawing approval of a State regulatory program.

Large mining operations often need several years to get mining equipment and other ancillary requirements in place. The regulatory authority needs to evaluate the proposed mining operation before site development begins, but at the same time must be in a position to give the mine operator a permit for a time period adequate for developing a site and obtaining financing. We recommend that the time of the first permit be not more than five years after the first removal of overburden and that removal of overburden must begin within six years issuance of the permit. If, however, overburden removal does not begin within three years after issuance, one year prior to scheduled overburden removal the regulatory authority should be required to obtain such information as is necessary to determine whether modifications of the permit pursuant to section 411(c) or otherwise are needed.

The Administration supports strong protection for surface owners; surface owner consent should be required for the entire area covered by a permit application. For Federal lands this consent should be written, given before leasing, and available only to the limited class of persons specified in H.R. 25 in the 94th Congress. We also recommend that with regard to the compensation formula provided therein, that fair market value be defined to exclude the value of the coal resource, as mentioned in our earlier report.

Alluvial valley floors will require strong protection if these important areas are to maintain their hydrological integrity and usefulness for farming and range use. In view of this, we believe our proposed section 410(b)(5) should be revised so as not to exempt undeveloped range lands or small areas where mining would have a negligible impact on agricultural or livestock production. Because information about effects of mining in alluvial valley floors is relatively embryonic and the administrative determination of where these exemptions would apply may be particularly difficult, it appears preferable to clearly exclude mining from the alluvial valley floor without land use exception. The Administration supports "grandfathering" only those mines which are located in alluvial valley floors and in commercial production, as specified in our February 4, 1977, letter.

Section 422 relating to the designation of areas unsuitable for surface coal mining, contains a grandfather exemption to be granted for those operations which have "substantial legal and financial commitments." We believe the term should be further defined or eliminated from the statute. The grandfather clause as written could undermine the integrity of the designation process and be subject to abuse.

We continue to support the bill's designation of national forests as unsuitable for mining. We would also favor authorizing the Secretary to designate critical areas adjacent to the mandatory designation areas under section 422 in order to protect the integrity of these areas. In the case of Federal lands in critical adjacent areas, designation

as unsuitable would be mandatory. In the case of private or State lands in the critical areas, the Federal government would petition the State to designate these areas as unsuitable for strip mining, and further, there would be required consultation between the State and the Secretary for any permit within the critical adjacent area.

Prime agricultural lands have recently become the subject of considerable attention. The loss of such agricultural areas as a source of future food production is of as much concern as the possible loss of coal production resulting from prohibiting mining of these lands. We therefore favor an amendment to require restoration of soil productivity for prime agricultural lands. In addition, we recommend a five year moratorium on surface mining in prime farmlands in order to provide an opportunity to determine the ability to restore the productivity of these valuable lands. An appropriate grandfather exception would also be provided. An amendment for prime agricultural lands protection will be furnished shortly.

Several concerns for essential features of the performance standards set forth in section 415 of the bill deserve emphasis. We strongly support the principle of return to approximate original contour. We believe this concept as defined in section 501(23) properly embraces use of terracing as an appropriate reclamation technique, whether or not expressly referred to. Such terracing must, however, be for drainage purposes only and designed for the best overall environmental results. High walls cannot be permitted under any circumstances.

With respect to siltation structures, we are concerned that maintenance responsibility continue as long as such structures present the possibility of harm. We therefore support an amendment strengthening § 415(b) (10) (C).

We would oppose deleting safety protections provided by the bill. Blasting limitations are particularly important but further information is needed to ascertain whether additional measures beyond those provided in § 415(b) (15) are needed. We believe a study of blasting requirements should be undertaken.

S. 7 allows a variance from special performance standards for mountaintop mining where certain post-mining land uses will obtain. The most critical feature of mountaintop mining relates to spoil placement. Mountaintop mining which retains spoil on top of the mountain does not require special treatment. Serious problems are presented, however, by operations using head-of-the-hollow or valley fill. For such operations, it is uncertain whether spoil can be placed in an environmentally sound manner. Some evidence exists that technology in which spoil is placed in lifts to create a series of stair stepbenches and french rock drains are used may provide satisfactory protection. In any event, we believe that placement of spoils on the downslope should be limited to the minimum and that strong spoil placement standards are needed to insure that there will be no offsite damages.

We support provisions to strengthen the administrative, judicial, and enforcement provisions of the bill. Among these are provisions relating to citizen suits and we support elimination of the amount-in-controversy and diversity of citizenship requirements of these provisions. We also believe that attorney's fees should be awarded in the discretion of the court against any party. For administrative proceedings, discretionary award of attorney's fees is appropriate against a losing party (not the United States). In addition, for the permanent enforcement program, we favor a requirement of monthly partial inspections and full inspections once each quarter. We will further review the need for further improvement

and updating of the administrative, judicial and enforcement provisions.

Enactment of this legislation will correct a major deficiency in our overall policy of environmental protection. Benefits will directly follow its enactment for protection and enhancement of water quality, fish and wildlife values and for improved land use, among others.

We attach suggested amendments to deal with the problems outlined and certain other matters, including those contained in our February 4, 1977, letter to the Committee on S. 7.

Early passage of strong surface mining legislation remains among the highest priorities of this Administration. We will be prepared to work with the Committee to achieve this goal.

The Office of Management and Budget has advised that enactment of legislation conforming to the views set forth above would be in accord with the problem of the President and it has no objection to the presentation of this report.

Sincerely,

CECIL D. ANDRUS,
Secretary.

A POISON SYMBOL THAT CHILDREN UNDERSTAND

Mr. HUMPHREY. Mr. President, 1977 has been declared "Minnesota Poison Prevention Year," under a proclamation signed by Gov. Wendell Anderson last year. On March 22, Edward P. Krenzlok, director of the Hennepin Poison Center, wrote to describe a poison control program undertaken by the center with support from Blue Cross-Blue Shield of Minnesota, the University of Minnesota College of Pharmacy, and the Minnesota Jaycees.

This public service campaign is built around a green, grimacing face that is an emphatic and unmistakable pictogram for distaste.

The symbol, "Mr. Yuk," was developed and copyrighted as a poison warning by the Pittsburgh Poison Center after research revealed that a skull and crossbones suggests excitement and adventure to today's children.

Minnesota is the 11th regional center of the National Poison Center Network to put Mr. Yuk to work to reduce the large number of accidental childhood poisonings. I ask unanimous consent that an article from a Minnesota hospital publication describing this worthwhile campaign be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. YUK COMES TO MINNESOTA

Even though he sticks out his tongue at everyone he meets, Mr. Yuk is the kind of guy everyone likes to have around—and he is moving to Minnesota.

He is being brought here by the Hennepin Poison Center (HPC) of Hennepin County Medical Center to conduct a major poison control program aimed at preventing accidental poisonings of small children and at providing immediate treatment information for those who become victims of poisonings.

Mr. Yuk—a scowling, chartreuse face with tongue protruding—is the new poison warning symbol developed in 1971 by the Pittsburgh Poison Center, to replace the old skull and crossbones. That center's research revealed the old symbol has little negative meaning for today's children, who have

viewed it widely in movies and cartoons, on products and in amusement parks. To them it means happy, exciting things like pirates and adventure—not poison.

Mr. Yuk's expression is somewhat akin to that of a young child who has just endured a dose of castor oil. He was designed primarily for children five years old and younger who cannot read, but are curious explorers of their homes. He was selected in research studies by pre-school age children as the symbol that would most repulse them from getting into dangerous household products. He also was named by a child who declined to pick up a bottle marked with the symbol, saying, "He looks yukky."

The Pittsburgh Poison Center is now the headquarters for the National Poison Center Network (NPCN). Children's Hospital of Pittsburgh, of which the Pittsburgh Poison Center is a part, has copyrighted the Mr. Yuk symbol for use exclusively by (NPCN) regional and satellite centers throughout the country. HPC is the Minnesota center and the 11th regional center in the country to join the NPCN and adopt the Mr. Yuk program.

The HPC action is endorsed by the Hennepin County Board of Commissioners; Minnesota Gov. Wendell Anderson proclaimed 1977 as "Poison Prevention Year in Minnesota."

Simplicity characterizes the Mr. Yuk program and helps make it effective.

Mr. Yuk's ugly face is printed on stickers which adhere easily to paper, plastic, metal or wood. Each sticker carries HPC's emergency telephone number. The stickers are distributed by HPC upon request.

"No! No!" is an admonition even the youngest toddler understands. When parents receive the stickers, they show Mr. Yuk to their children, explaining that he means "no." In order to teach them which household products to avoid, children accompany their parents as they move throughout the house affixing the symbol to the dangerous products listed generically on the back of the sheet of stickers.

In addition to distributing the Mr. Yuk stickers, the HPC conducts on-going public education/information activities as part of the poison control program. Financial and logistical support for the introduction of Mr. Yuk in Minnesota is being provided as a public service to the HPC by Blue Cross and Blue Shield of Minnesota. Other organizations active in support of the Mr. Yuk's program include the Minneapolis Jaycees and the University of Minnesota College of Pharmacy. The Jaycees handle sticker distribution and provide speakers for interest groups.

Mr. Yuk stickers may be obtained by sending a self-addressed, stamped envelope to: Poison, Hennepin County Medical Center, 701 Park Avenue, Minneapolis, Minnesota 55415. Individuals or groups who wish to make donations to help support the Mr. Yuk program may do so by writing the same address.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Andrew J. Chishom, of South Carolina, to be U.S. marshal for the district of South Carolina for the term of 4 years vice James E. Williams, resigning.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, April 25, 1977, any representations or objections they may

wish to present concerning the above nomination with a further statement whether it is their intention to appear at any hearing which may be scheduled.

(This concludes additional statements submitted today.)

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess awaiting the call of the Chair.

The motion was agreed to; and at 12:55 p.m. the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 1:02 p.m., when called to order by the Presiding Officer (Mr. ROBERT C. BYRD).

EXTENDING PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Without objection, the period for the transaction of routine morning business will be extended for not to exceed 30 minutes.

The Chair recognizes the Senator from Louisiana.

CONSIDERATION OF H.R. 3477

Mr. LONG. Mr. President, the Finance Committee is scheduled to meet at 10 o'clock tomorrow morning to discuss H.R. 3477, the Tax Reduction and Simplification Act of 1977. I will suggest to the committee that the title which provides the \$50 refund be deleted from the bill. I do not know precisely what parliamentary move will be made to do that. It could be done in any of several ways, for example, by a motion to recommit the bill and report it back forthwith, or simply by a committee amendment to strike title I.

I would assume that this deletion will be agreed to.

We will also hear the administration's position with regard to the remainder of the bill and the committee will have an opportunity to react to the administration position.

I do not think, Mr. President, it would serve any purpose to recommit the bill for consideration. To do so would involve various delays, both in the committee and when the bill is reported back on the calendar, under the so-called reforms which have been agreed to in this Congress. These delays would cost us a week or 10 days of valuable time in getting ahead to certain matters which the committee would like to consider.

It seems to me that, regardless of what we do about the \$50 refund suggested by the President, and it is fairly clear what we are going to do about it, we should pass the tax simplification provisions of the bill. The public expects and has a right to demand tax simplification. The tax laws are far too complicated.

After loyal citizens have worked so hard trying to comply with the provisions of existing law, including the Tax Reform Act of 1976, they have a right to hold us to our commitment to simplify it before 1978. I would assume we will recommend keeping the tax simplification

title and most of the provisions recommended by the committee prior to this time.

The administration will probably recommend deleting some of the amendments providing tax relief and incentives for business in view of the fact that it is recommending elimination of the major part of the bill which would benefit low income and middle income individuals. We will have an opportunity to reconsider their recommendations for business tax relief in our executive session tomorrow. If the committee makes some changes, as I assume it will want to do, I would hope that it will simply decide to modify its committee amendments here on the floor and save the Senate perhaps 1 week of time.

The Budget Committee will undoubtedly want to look at the changed situation. They may want to modify the waiver provision. It may be that we will act on the Tax Reduction and Simplification Act of 1977. If that is the judgment of the leadership, and if the Budget Committee wishes to move with its waiver resolution first, I am sure that the Finance Committee would be happy to wait until the budget waiver provision has been disposed of.

There is one other item in this bill which is very important, and which should become law at some time in the immediate future. This provision is an extension of the tax reductions which we voted last year. These tax cuts amount to more than \$14 billion and were among cuts first enacted on the recommendation of President Ford. They have since been continued. We anticipate that they will be continued again. Taxpayers like to know for certain where they stand, however, and it would be well to make the extensions of these tax cuts clear at the earliest opportunity. These extensions would be a part of this Tax Reduction and Simplification Act. This bill, H.R. 3477, is still a good bill even without the \$50 refund.

Mr. MUSKIE. Will the Senator yield?

Mr. LONG. I yield to the Senator from Maine.

The PRESIDING OFFICER (Mr. SARBANES). The Senator from Maine is recognized.

Mr. MUSKIE. With respect to the administration's change in policy on the \$50 tax rebate, there is an impact on three responsibilities of the Budget Committee: The waiver resolution to which the Senator has referred, the third concurrent resolution for fiscal year 1977, and the first concurrent resolution for fiscal year 1978.

With respect to the latter two, it will be necessary for the Budget Committee to reevaluate its recommended policies and its recommended budgets in the light of the administration's change of position. I will not get into a discussion of those two items at this point.

With respect to the waiver resolution, I suspect that technically the Budget Committee having reported the waiver resolution to the floor, no further action would be required at this time. The Senate can modify any legislation covered by a waiver resolution and amend it. So,

technically, perhaps, no action by the Budget Committee is required.

Nevertheless, the waiver resolution was reported on the basis that the third concurrent resolution for 1977 had established the policy assumptions on which we were operating. With those assumptions so drastically changed I would feel better about it if the Budget Committee now were to take another look at the waiver resolution and report its conclusions to the Senate.

I think it ought to be possible to convene a meeting of the Budget Committee for that purpose tomorrow morning so that we could respond to the leadership's desire to move as rapidly as possible. I believe we can do that. There should be very little difficulty. I would like to go through that exercise, however, so that the Budget Committee would have the feeling that it had been consulted.

On the other two, the third concurrent resolution and the first concurrent resolution for 1978, there are more complications that I will not get into at this point.

Mr. LONG. Mr. President, the time that is wasted in the early part of a session is always something that the Senate winds up wanting to kick itself in the pants for at the end of the year when we find we are still in session in November and then in December, doing things that could have been done at a much earlier date. That is one reason I am going to urge to the Finance Committee that we not seek to recommit the bill, that we ought to simply seek to amend or modify the bill here on the floor as we have a right to do. I would urge that the Budget Committee consider doing likewise so that we can get on with our business.

I believe the decision of the Senate will not be changed in any event. I think I can anticipate that the provisions which have had overwhelming support from Senators and complete acceptance by the public and the media are not going to be the subject of much debate and contest here on the floor.

There will be some controversial votes, as there should be, on a major measure of this sort. But I see no point in dragging things out and delaying decisions that the Senate should make.

I am confident that we can make good progress by getting to this bill as soon as every Senator has a chance to consider the changed situation and the administration has a chance to make its position clear with regard to what remains in the bill. I look forward to working with the chairman of the Committee on the Budget and his committee and to clearing this bill and making it conform to the budget process, so that we can get on with the business.

I thank the Senator from Maine for his thoughtful consideration of this matter. I look forward to working with him on this matter.

Mr. MUSKIE. Will the Senator yield again?

Mr. LONG. Yes.

Mr. MUSKIE. I wish to make it clear, consistent with the Senator's observation, that I disagree and disagree vigorously with the administration's decision to step back on the \$50 tax rebate.

I ask unanimous consent, Mr. Presi-

dent, that there be included at this point in the RECORD a statement which I issued a day or two ago outlining my reasons for that disagreement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR EDMUND S. MUSKIE ON THE WITHDRAWAL OF THE ADMINISTRATION'S TAX REBATE

The Administration's policy reversal on the tax rebate is disappointing. It is disappointing both because of its likely economic effects and the manner in which the decision was taken.

The economic effects of this decision are likely to be substantial. It raises the risk of repeating the pattern of 1976, when the economy was strong in the beginning of the year and slowed down sharply at the end. This action is likely to cost about 250,000 jobs by the end of this year, at the same time that the Administration is asking shoe workers, and those in other depressed industries, to bear the heavy cost of unemployment. The Administration's goal of reducing unemployment below 6 percent by the end of 1978 will now be much more difficult to achieve.

These costs might be necessary to bear if the economy was in danger of overheating and additional fiscal restraint was required. But this is not the case, as Chairman Schultze indicated yesterday. The unusual price increases in the last several months have been due to the effects of the winter on food and energy prices, and to inflationary momentum in the economy. They have not been caused by excess demand. There is no serious prospect that the rebate and business tax relief would give rise to such excess demand.

The fundamental economic reasons for the rebate remain valid. The Administration claims, on the basis of strong industrial production and retail sales figures for February and March, that the rebate is now "unnecessary." An accurate characterization of these data, however, would be that the first quarter may turn out to be less bad than we had feared. It now appears that real GNP growth is likely to be around 5 percent, rather than the 3-4 percent expected earlier because of the severe weather. Industrial production has rebounded strongly from its winter depression, to be sure, but is still only 2.4 percent above its 1974 peak and 5.5 percent above its level of a year ago. Capacity utilization in manufacturing, at about 81 percent, is still below its average postwar level. These are hardly the marks of an economy that is "overheating." Within 7 million Americans out of work, what can it mean to say that two-thirds of the fiscal year 1977 stimulus package is "unnecessary?"

The tax rebate was proposed because final sales in the economy had been growing at a relatively slow pace throughout two years of recovery. Two months of good retail sales do not provide a sound basis for an abrupt reversal of this policy. The gain in retail sales was in fact stronger in the fourth quarter of 1976 than in the most recent quarter, and some of the recent strength of consumer spending may be precisely because the rebate was expected. The protests against the rebate have not come from low and middle income families. Indeed, many consumers are counting on the rebate for relief from heavy fuel bills. How can we expect to maintain consumer confidence if we cannot maintain a steady fiscal policy?

The reversal of policy suggests a kind of "super fine tuning" of the economy which is beyond the capacity of economists. As I stated on the Senate floor last week, "Should we propose stimulus during the slowdown, oppose it when Christmas sales turn up,

propose it again when the severe winter descends and oppose it once again when spring raises the temperature and our spirits?"

Both the personal tax rebate and the business tax relief were proposed because investment demand has been unusually weak during the recovery. There still is no evidence that business capital spending will accelerate to boost the recovery. Is stronger investment demand now "unnecessary?"

Another factor in the disappointing recovery has been slow export growth due to the worldwide nature of the recession. The Administration stimulus package originally signalled a determination to provide U.S. economic leadership in world recovery. The stimulus package represented a commitment to vigorous expansion. We urged some reluctant and important trading partners to go and do likewise. What signals is the Administration sending them now? Will the Administration argue at the economic summit in London next month that a more vigorous expansion is suddenly "unnecessary?"

The Administration's action is disappointing, finally, because of the failure to coordinate fiscal policy decisions with the Congress. Reasonable men can certainly differ with respect to the composition of fiscal policy, and such differences were being resolved within the legislative process. But the Administration and Congress appeared to be in agreement on the required direction of policy. The Administration had proposed additional stimulus, and the Congress had revised its fiscal year 1977 budget in a coordinated action. The Administration has now made an abrupt policy reversal without consideration of the Congressional budget process and without adequate consultation with the Congress. It has done so on the most meager and preliminary evidence. It may prove much more difficult to convince consumers or businesses in the future that the Government is committed to a carefully planned, deliberate and steady fiscal policy.

Mr. MUSKIE. Nevertheless, I think there has been sufficient discussion and sufficient committee consideration so that there is no reason to delay the Senate's taking up these issues and voting them up or down. I assure the Senator from Louisiana of my cooperation and I can see no problems at this point with respect to the waiver resolution. If there are any, I ought to be able to identify them some time today so that we can try to anticipate and resolve them, hopefully, tomorrow morning.

Mr. DANFORTH Mr President, will the Senator yield?

Mr. LONG In one moment

Mr. President, I think I should also say that we have in the Tax Reduction and Simplification Act of 1977 a section which would postpone for 1 year the effective date for the sick pay revisions enacted last year. We also have a provision extending forward the date with regard to section 911, involving U.S. citizens who have been working overseas. In another bill, the House did not accept the change in the effective date for section 911. This kept us from passing H.R. 1828, the sick pay bill, with the section 911(a) amendment. I am led to believe that there would be some problem in obtaining an immediate conference with the House on that bill. It appears that the House would like to talk to us, not only about our ideas on section 911, but also about their suggestions, which are part of this Tax Reduction and Simplification Act, with regard to the provisions which we did agree with, those which we modified, and

those which we struck from their handiwork. So a broader conference would be in order.

I really see no problem. I think it will just take a few days longer to do it that way than it would to take care of those two items in H.R. 1828 at a separate conference.

I yield to the Senator from Missouri.

Mr. DANFORTH. Mr. President, I simply want to express a bit of concern about handling the tax bill in a very summary fashion. As the chairman of the Committee on Finance knows, I opposed the idea of the \$50 rebate quite vigorously, but I wonder if we should not, in either the Committee on Finance or the Committee on the Budget, hear the explanations from some of the administration's economists as to exactly what the status of so-called cyclical unemployment is today. It was my understanding, during the very lengthy testimony by administration spokesmen, that approximately half of the unemployment problem that we have now is structural and approximately half is cyclical. There were a couple of alternative ideas put forward on how to deal with the cyclical aspect of this problem.

One of those alternatives was the rebate. The other alternative was a permanent tax cut. Now I understand that the administration has abandoned the idea of a \$50 rebate—and I applaud it for that. However, I am a bit concerned that if all the Senate is doing is simply taking the shortest cut toward doing away with the rebate idea, we lose track of the fact that unemployment today is about 7.3 percent. Unemployment in January, when the rebate idea was unveiled, was about 7.3 percent. I would like some consideration, either in the Committee on Finance or perhaps the Budget Committee, or maybe both, as to what the status of the economy is today, what the status of unemployment is today, and what, if anything, we should be doing about it.

Mr. LONG. Mr. President, I shall cooperate in trying to obtain for the Senate all the information that the Senator from Missouri would like. It has been my experience, however, that when you are trying to get something done, you may just as well hold a hearing while you have a bill out here on the floor, even while we are debating it—we have done that on occasion—rather than make everything wait while you go through a great number of delays.

We have a rule in our committee that if someone wants to offer an amendment that brings up a new subject, he is to notify the committee 3 days in advance that this amendment is to be considered, so that he can obtain whatever information he wants on that subject and can seek the advice of others. Then, when we get through holding hearings and holding executive sessions, and reporting, by that time, someone might want some time to file minority views if he finds he is not on the prevailing side. So it is easier to take 10 days to 2 weeks as controversy develops on some of these subjects. Often it does not make any difference as far as the outcome is concerned.

I was willing to go along with the \$50 refund. I supported it and did what I could to urge others to support it. But

one thing I know is, no matter how many economists we bring in here to testify for a \$50 refund at this point, the Senate is not going to pass a \$50 refund. It was all we could do to get enough votes to bring it out here with a majority vote on the committee, even with the administration doing everything within its power to move that proposal. So the refund is no longer something that is going to happen.

Others can propose their suggestions, but even if they are proposed with some success or some lack of success in the committee, we still have the problem of making the same decision here on the floor.

Now that we have had this recess, I believe it is in order to get on with the business. We do not have any other major items on the calendar to consider at this moment. We ought to be moving with this revenue bill. There are a lot of things in here that the Senate would like to do.

We might want to do more later on. If that is the case, we could always do that, but there are a lot of good things in this bill that ought to be enacted quite apart from the \$50 part.

Mr. MUSKIE. Will the Senator yield?

Mr. LONG. Yes.

Mr. MUSKIE. The Senator has expressed the concern that moved me to disagree with the President on abandoning the \$50 tax rebate. The third concurrent resolution stands as a reflection of the economic policy which the Budget Committee recommended to the Senate and which the Senate approved earlier this winter.

That will not be changed between now and tomorrow. As I indicated earlier, the Budget Committee undoubtedly will want to reexamine the third concurrent resolution in the light of the President's decision and in the light of the economic assumptions which have become an issue as a result of his decision.

We will do that, I assume, as extensively as the Budget Committee may wish to do so. We will not change the third concurrent resolution until we have undertaken that kind of an examination.

Now, whether or not this tax bill ought to be held up until that reexamination is undertaken is a legitimate question. It can be raised in the course of the debate on this tax bill. But the responsibility of the Budget Committee has to do with the third concurrent budget resolution rather than whether or not this tax bill should be the principal implement of whatever policy the Congress ultimately adopts with respect to the economy.

But I share the Senator's concern, even though we had different views about the tax policy that could best serve that concern. But I assure the Senator that so far as I am concerned the Budget Committee will look at the issues that have now been raised very carefully, not only with respect to the third budget resolution of 1977, but also the first budget resolution for 1978 which has been reported to the floor and which also assumed the enactment of the \$50 tax rebate, or some tax policy producing similar budgetary impacts in 1977.

So we have got a bit of work to do and

it will involve the kind of reassessment which the Senator has suggested.

Mr. DANFORTH. If I may inquire of the chairman of the Finance Committee, is it his intention to call as witnesses before the Finance Committee tomorrow administration spokesmen, such as Dr. Schultze, who will explain the state of the economy now as they see it and he efficacy or lack of efficacy of tax reduction matters to address any problem we might have with respect to cyclical unemployment?

Mr. LONG. I have called a meeting of the committee in executive session and, as the Senator well knows, we usually have a representative of the Treasury Department present in executive session when we are acting on tax bills. I assume we would have Dr. Woodworth, or the Secretary of the Treasury, to explain the administration's position with regard to this bill.

I certainly would like to have Dr. Schultze present. I would be happy to ask him to be there. But that will be in executive session. As the Senator knows, we will have a record kept. But it is not called as a hearing, although the Senator can, of course, inquire as to what information the administration representatives have to provide on any subject. We will find ways to get the information the Senator wants.

I simply urge that the committee plan to go forward with the measures which the committee has agreed upon, and about which it does not want to change its mind.

I assume the committee would be willing to drop the \$50 refund because it was agreed to on a close vote, as several Senators explained, and this is well known to the Senator from Missouri. So I do not have any doubt that will be the majority decision of the committee tomorrow.

With regard to the other things in the bill, the administration might want to say something about that. If that is the case, they can make their position clear, and if they seek hearings or desire it, we can hold them afterwards.

I just do not want to put the bill back in the committee at this point, the reason being that I do not want to fool around with these 3-day delay matters in order to move it. We have had a 3-day delay in the committee, we have had a 3-day delay on the floor, and the bill, including the sick pay provision, has had as much delay as it should have, it seems to me.

Mr. DANFORTH. There are several things I would not want to happen. I would not want undue delay. I would not want to look a gift horse in the mouth with respect to the President's decision now to change his mind on the \$50 rebate. And I would not want to see delay or change in the opposition of the Finance Committee with respect to those measures that we did agree on.

However, the whole point of this exercise, as I understand it, has been that it was the administration's position that we had a very slack period in the economy, but the recovery was not strong enough, and that the tax laws should be utilized in this case by the vehicle of the rebate in order to have a stronger recovery.

Is it my understanding that even without committing the entire bill back to the Senate when we consider the \$50 rebate and its status, we might consider the status of the economy and what additional or alternative measures to the rebate, if any, can be taken in order to have a more adequate growth in the economy?

Mr. LONG. I will do the best I can to help the Senator obtain all the information he wants consistent with my desire to move ahead with the Senate's work.

Now, there are other committees that can cooperate in this regard, and I hope they will. But I know on occasion when the Finance Committee is not burdened with trying to get on with the discharge of its obligations to the Senate, we have had too much cooperation, I feel, from other committees holding hearings and making recommendations in areas that are within the jurisdiction of the Finance Committee.

It is not often nowadays that we see a tax bill where the Joint Economic Committee has held hearings on the bill and made their recommendations on it, the Budget Committee has held hearings and considered the matter—and on both sides—and we usually feel we should wait until we see a bill from the Finance Committee.

But that is not by any means the end of the jurisdiction it shares with others. The Banking, Housing, and Urban Affairs Committee often holds hearings on the same subject, the general state of the economy, and what should be done about it.

So with all that cooperation, I do not know why we should have this problem about economic information.

I think our committee can help, but the others can be of assistance, also.

Mr. MUSKIE. Will the Senator yield?

Mr. LONG. I yield to the Senator.

Mr. MUSKIE. I think it ought to be clear, the Senator from Missouri's inquiry is making it possible to make clear that, with the President's decision on the \$50 tax rebate, this tax bill moves along without that provision in it; that so far as the third concurrent resolution is concerned there will be a policy vacuum in the Congress economic program.

There will be several billions that will be uncommitted for any policy upon which Congress will have agreed, because Congress agreed to an economic policy in the third concurrent resolution which assumed the enactment of the \$50 tax rebate or something with a similar budget impact. With those billions of dollars untied from the tax rebate, we will see a vacuum, and it will operate like many other vacuums. It will be filled, or there will be a temptation to fill it. I suspect that there will be all kinds of ideas generated in Congress as to how best to fill it. That is one of the unfortunate consequences in my judgment, of the President's decision.

We have now unleashed those dollars which are within the total numbers of the third concurrent resolution, without having a policy to tie them down. Until we get that policy, which may take some backing and filling in the Senate and in the House, there are going to be all sorts of suggestions for how to use those

stimulus dollars that are hanging loose now, ready to be grabbed by somebody—first come, first served, or what have you.

That disturbs me mightily, because we have had in place for 2 years a way of avoiding that kind of disarray; and the President, with his action last week, has created that disarray. How it will come out in the end, I am not sure, and I would not try to assure my good friend from Missouri on that point. But it is an important point, and I do not think we will be able to settle it in connection with this tax bill to the satisfaction of everybody. I do not see any useful purpose to be served by delaying that tax bill unduly, because there are other important things in it; but I think that moving that tax bill does not deprive us of the means of filling that vacuum in an orderly, rational way, and I hope we do. We will try to do it in the Budget Committee.

Mr. DANFORTH. My interest is not in filling a vacuum or spending \$11 billion which now becomes available, when we have a deficit many times over \$11 billion.

Mr. MUSKIE. I do not suggest that as a desirable goal. I am just saying that never in my life have I seen a vacuum that somebody did not try to fill. To ignore that possibility will be very unrealistic.

Mr. DANFORTH. My concern is that in January, when the rebate was proposed, we had unemployment at 7.3 percent. Today we have unemployment at 7.3 percent. I would like at least some analysis, whether it is in the Budget Committee or in the Finance Committee, as to how we can go about trying to get these people back to work.

The PRESIDING OFFICER. (Mr. DeCONCINI). The 30 minutes for morning business have expired.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that morning business be extended for an additional 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. I assure the Senator that we will inquire into that problem in the Budget Committee. It will not necessarily be done in connection with this tax bill, which is the responsibility of the Finance Committee. To the extent that some questions are now raised that we need to deal with in terms of the state of the economy and the unemployment rate, I think the Budget Committee will recognize its responsibility to do the best it can to provide some suggestions.

Mr. HARRY F. BYRD, JR. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield, but the Senator from Louisiana has the floor.

Mr. LONG. Mr. President, I yield to the Senator from Maine.

Mr. HARRY F. BYRD, JR. I think the Senator makes a very important point when he states that there is now several billion dollars unattached floating around. Actually, I believe it is \$11 billion plus.

Mr. MUSKIE. I do not think it will come out to that. I hope to have the details later this afternoon, I say to the Senator from Virginia. It is a lot of money.

Mr. HARRY F. BYRD, JR. It is a vast sum of money, billions of dollars.

A vacuum has been created. What will happen to that, in the fear of the Senator from Virginia, is that that amount will be additional spending, or at least a part of it will be additional spending. I think that will be going in the wrong direction.

The President—I think wisely—has scrapped a part of his economic stimulus program, the part dealing with reduction in taxes. Having done that, he should follow up and do away with the increased spending that he is recommending.

Mr. MUSKIE. I have learned enough about this budget process to know this: If you want to control any part of it, you have to find a way to control all of it. If you want to change policy in mid-stream and not create the potential for disarray which is now the subject of our colloquy, you have to do it consistent with that process. When you do not, you create the possibility of vacuums of this kind.

The Senator has been around as long as I have, and he knows that one of the strong forces for the creation of the budget process was the tendency of Congress to spend in any direction. If we are returning to that way by failing to follow the process, then we can anticipate some of the consequences which the Senator from Virginia deplors and which I deplore.

I assure the Senator that, so far as I am concerned, until Congress has acted in some way to set a policy that responds to the problem, I will resist, as best I can, any new spending proposals that exceed the assumptions of the third concurrent resolution, notwithstanding the fact that the billions that were assigned to the tax rebate are now unleashed.

I will not consciously acquiesce in any proposals to use that for other purposes until that budget policy has been laid down. I assure the Senator of that.

Nevertheless, I think we have to recognize that if we are under the targets of the third concurrent resolution by billions of dollars and somebody comes along with some big program, which we did not assume and Congress has not approved, and argues that there is money in the budget resolution to pay for it, I cannot use the discipline of a point of order to stop it, because the hole will have been created.

The Senator and I disagree about budget policy from time to time, and I honor him for holding up his end of the argument when that happens. But what I am arguing for here—and this is one of my biggest complaints about the way the President did this—what I am pointing out is that the result is that we are untied from the process which for at least 2 years has been in existence, by way of writing tax policy or budget policy, in accordance with the plan that has been adopted by Congress as a whole. I think the Senator and I are talking about the same thing.

Mr. HARRY F. BYRD, JR. I think the Senator and I are talking about the same thing.

I started my colloquy with the Senator by saying that I think the Senator from Maine raises a very important point, and it is a very important point for the consideration of the Senate.

The Senator from Virginia did not suggest that Congress or the Senate violate in any way the established procedures. There has been created, however, outside of Congress, a condition which Congress is now faced with, a step of which I happen to approve. Nevertheless, it is a condition with which Congress is now faced, and that does open the doors to the possibility at least of a substantial increase in spending, which the Senator from Maine opposes and which the Senator from Virginia opposes.

The only additional comment I should like to make is one that I made a moment ago—namely, that since the new process has been opened up and the whole area must be reexamined by the Budget Committee, I should like to see the entire Carter economic stimulus package reexamined.

The President, himself, has advocated the scrapping of the reduction in taxes—namely, the \$50 rebate.

I should like to see him advocate now, along with that, a scrapping of the increase in spending which he proposed and which the Budget Committee recommended. This would be a step toward achieving a balanced budget.

Mr. MUSKIE. I suggest that the Senator address his recommendations to the President, and perhaps he will be more persuasive than I have been these past few days.

I thank my good friend from Virginia, and I thank the majority leader for his consideration.

Mr. ROBERT C. BYRD. I thank the distinguished Senator from Maine (Mr. MUSKIE) and the distinguished Senator from Louisiana (Mr. LONG). I appreciate the logic of their suggestions. It has been suggested that the respective committees be permitted to meet and give consideration to the various aspects of the recent events. In light of their suggestion, the leadership will be delighted to forgo further action today on the bill which was expected to be called up.

ORDER FOR A PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow there be a period for the transaction of routine morning business of not to exceed 1 hour, with statements limited therein to 10 minutes each, following the recognition of Senator SCHMITT under the order previously entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TRANSFERRING S. 1269 TO THE UNANIMOUS-CONSENT CALENDAR

Mr. ROBERT C. BYRD. Mr. President, there is one bill on the calendar which can be passed by unanimous con-

sent. I ask that the clerk transfer it to the unanimous-consent calendar. That is Calendar Order No. 69, S. 1269.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask that morning business be closed.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TAX REDUCTION AND SIMPLIFICATION ACT OF 1977

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of H.R. 3477, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3477) to provide for a refund of 1976 individual income taxes, and other payments, to reduce individual and business income taxes, and to provide tax simplification and reform.

The Senate proceeded to consider the bill which had been reported from the Committee on Finance.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS UNTIL MIDNIGHT TONIGHT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that committees may have until midnight tonight to file reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

JOINT SESSION OF THE TWO HOUSES ON WEDNESDAY, APRIL 20, 1977, TO RECEIVE A MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 196) providing for a joint session of the two Houses on Wednesday, April 20, 1977, to receive a message from the President of the United States.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the immediate consideration of the concurrent resolution.

The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 196) was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, April 20, 1977, at 9 o'clock postmeridian, for the purpose of receiving such communica-

tions as the President of the United States shall be pleased to make to them.

RECESS UNTIL 12:15 P.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until the hour of 12:15 p.m. tomorrow.

The motion was agreed to; and, at 1:45 p.m., the Senate recessed until Tuesday, April 19, 1977, at 12:15 p.m.

NOMINATIONS

Executive nominations received by the Senate on April 8, 1977, under the authority of the order of April 6, 1977:

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examinations required by law:

LINE OF THE AIR FORCE

Lieutenant colonel to colonel

Abell, John T.,	xxx-xx-xxxx
Adams, James E., Jr.,	xxx-xx-xxxx
Addison, James M.,	xxx-xx-xxxx
Ahmann, James H.,	xxx-xx-xxxx
Allred, Elmer G.,	xxx-xx-xxxx
Andersen, Louis M.,	xxx-xx-xxxx
Anderson, James R.,	xxx-xx-xxxx
Anderson, Kenneth A.,	xxx-xx-xxxx
Anderson, Kenneth D.,	xxx-xx-xxxx
Anstine, Gale B.,	xxx-xx-xxxx
Aufdemorte, Lewis G., Jr.,	xxx-xx-xxxx
Auld, Harry E.,	xxx-xx-xxxx
Bacon, Merle D.,	xxx-xx-xxxx
Baginski, James I.,	xxx-xx-xxxx
Bagley, Bobby R.,	xxx-xx-xxxx
Baker, Elmo C.,	xxx-xx-xxxx
Baker, James E.,	xxx-xx-xxxx
Balderston, Robert E.,	xxx-xx-xxxx
Ballantyne, Wayne L.,	xxx-xx-xxxx
Banick, Theodore J.,	xxx-xx-xxxx
Barber, Paul A.,	xxx-xx-xxxx
Barfknecht, Harold A.,	xxx-xx-xxxx
Barnicoat, William J., Jr.,	xxx-xx-xxxx
Barrows, Ralph E.,	xxx-xx-xxxx
Bass, Donald C.,	xxx-xx-xxxx
Bass, Gerry W.,	xxx-xx-xxxx
Bassett, William W.,	xxx-xx-xxxx
Battaglia, Joseph H.,	xxx-xx-xxxx
Bauer, Eugene L.,	xxx-xx-xxxx
Beck, Stanley C.,	xxx-xx-xxxx
Beckwith, Wayne K.,	xxx-xx-xxxx
Beene, Reagan H., Jr.,	xxx-xx-xxxx
Bell, Edward J., III,	xxx-xx-xxxx
Bell, Kenneth H.,	xxx-xx-xxxx
Bennett, James B.,	xxx-xx-xxxx
Bennington, James H.,	xxx-xx-xxxx
Benson, Charles P., Jr.,	xxx-xx-xxxx
Bentz, Richard H.,	xxx-xx-xxxx
Biggs, Richard J.,	xxx-xx-xxxx
Binford, Donald D.,	xxx-xx-xxxx
Blocker, Clarence B.,	xxx-xx-xxxx
Bloodworth, James O., III,	xxx-xx-xxxx
Blum, Fred M.,	xxx-xx-xxxx
Blunck, Kurt G.,	xxx-xx-xxxx
Boardman, Henry W.,	xxx-xx-xxxx
Bodenhause, Max G.,	xxx-xx-xxxx
Boettcher, Gary G.,	xxx-xx-xxxx
Bolls, Dillard D.,	xxx-xx-xxxx
Bones, James R.,	xxx-xx-xxxx
Bott, Donald H.,	xxx-xx-xxxx
Boverie, Richard T.,	xxx-xx-xxxx
Bowden, William P.,	xxx-xx-xxxx
Bowling, Melvin G.,	xxx-xx-xxxx
Boyette, Robert T.,	xxx-xx-xxxx
Bradley, Charles W.,	xxx-xx-xxxx
Brashear, John A.,	xxx-xx-xxxx
Brazell, Leroy A.,	xxx-xx-xxxx
Brendel, Jo,	xxx-xx-xxxx
Brewer, Alton P. H., Jr.,	xxx-xx-xxxx
Brewster, Philip L.,	xxx-xx-xxxx
Bricker, John C.,	xxx-xx-xxxx
Broderick, George T.,	xxx-xx-xxxx
Brodman, Robert F.,	xxx-xx-xxxx
Brown, Alfred D., Jr.,	xxx-xx-xxxx
Brown, Bill V.,	xxx-xx-xxxx
Brown, Ivan D.,	xxx-xx-xxxx
Browning, Bob D.,	xxx-xx-xxxx
Brundage, Harold L., Jr.,	xxx-xx-xxxx
Bruno, America P.,	xxx-xx-xxxx
Bryant, Ray H.,	xxx-xx-xxxx
Buckman, Louis C.,	xxx-xx-xxxx
Bullock, Jerry M.,	xxx-xx-xxxx
Burnett, Roy P.,	xxx-xx-xxxx
Burnfield, Watson D.,	xxx-xx-xxxx
Burns, Kenneth D.,	xxx-xx-xxxx
Burns, Robert C.,	xxx-xx-xxxx
Burris, Darrel G.,	xxx-xx-xxxx
Busbee, Roderick M.,	xxx-xx-xxxx
Buzard, Lyman E.,	xxx-xx-xxxx
Caldwell, Jimmie D.,	xxx-xx-xxxx
Cameron, Paul A., Jr.,	xxx-xx-xxxx
Campbell, Duane D.,	xxx-xx-xxxx
Candee, Leslie W.,	xxx-xx-xxxx
Cantelou, Louis W., Jr.,	xxx-xx-xxxx
Carlson, Kenneth D.,	xxx-xx-xxxx
Casey, Aloysius G.,	xxx-xx-xxxx
Castillas, Eleas,	xxx-xx-xxxx
Cassidy, Duane H.,	xxx-xx-xxxx
Chapman, Robert E.,	xxx-xx-xxxx
Charles, William M., Jr.,	xxx-xx-xxxx
Cherry, Richard E., Jr.,	xxx-xx-xxxx
Chetelat Larree D.,	xxx-xx-xxxx
Chubner, James F.,	xxx-xx-xxxx
Chur, Lester R.,	xxx-xx-xxxx
Cipra, Donald J.,	xxx-xx-xxxx
Clarke, Clarence S.,	xxx-xx-xxxx
Clarke, William H.,	xxx-xx-xxxx
Clune, John J.,	xxx-xx-xxxx
Cobb, Francis C.,	xxx-xx-xxxx
Cocke, William F.,	xxx-xx-xxxx
Cole, Norman S.,	xxx-xx-xxxx
Collins, Gerald J.,	xxx-xx-xxxx
Conley, Edward C.,	xxx-xx-xxxx
Conley, John T.,	xxx-xx-xxxx
Conn, Henry L.,	xxx-xx-xxxx
Connelly, Thomas L.,	xxx-xx-xxxx
Cook, Roger D.,	xxx-xx-xxxx
Cornwell, Jimmy L.,	xxx-xx-xxxx
Correll, Charles A.,	xxx-xx-xxxx
Corum, Delbert M.,	xxx-xx-xxxx
Cosgrove, John A.,	xxx-xx-xxxx
Coward, William E.,	xxx-xx-xxxx
Cowell, Roger R.,	xxx-xx-xxxx
Cox, Kenneth L.,	xxx-xx-xxxx
Cragin, John D.,	xxx-xx-xxxx
Craner, Robert R.,	xxx-xx-xxxx
Crawford, Van L., Jr.,	xxx-xx-xxxx
Crego, Richard N.,	xxx-xx-xxxx
Crotty, Paul V.,	xxx-xx-xxxx
Curtis, Thomas J.,	xxx-xx-xxxx
Daily, Madison M.,	xxx-xx-xxxx
Dale, John A.,	xxx-xx-xxxx
Dale, Walter M.,	xxx-xx-xxxx
Daley, James P.,	xxx-xx-xxxx
Dalpra, Clarence E.,	xxx-xx-xxxx
Dalton, James E.,	xxx-xx-xxxx
Dalton, Roy C.,	xxx-xx-xxxx
Darling, Thomas G.,	xxx-xx-xxxx
Davis, Ed D.,	xxx-xx-xxxx
Davy, Albert W.,	xxx-xx-xxxx
Dempsey, Derrell L.,	xxx-xx-xxxx
Dennis, Derroll L.,	xxx-xx-xxxx
Dennis, Jephtha W., Jr.,	xxx-xx-xxxx
Dent, Troy J.,	xxx-xx-xxxx
Dever, James C., Jr.,	xxx-xx-xxxx
Devick, James H.,	xxx-xx-xxxx
Dillard, Louis S., Jr.,	xxx-xx-xxxx
Dixon, Robert H.,	xxx-xx-xxxx
Dodds, George A.,	xxx-xx-xxxx
Dogllone, John A.,	xxx-xx-xxxx
Donohue, Frederic M.,	xxx-xx-xxxx
Doran, John J., Jr.,	xxx-xx-xxxx
Downey, John C.,	xxx-xx-xxxx
Dreibelbis, Ryland R.,	xxx-xx-xxxx
Drohan, Frank E.,	xxx-xx-xxxx

Duff, Thomas O., xxx-xx-xxxx
 Duffield, Ned G., xxx-xx-xxxx
 Dugan, Thomas W., xxx-xx-xxxx
 Duke, Robert G., xxx-xx-xxxx
 Dunagan, Eddie D., xxx-xx-xxxx
 Dunn, Harry P., xxx-xx-xxxx
 Dunwoody, Richard H., xxx-xx-xxxx
 Durham, Archer L., xxx-xx-xxxx
 Dutton, Ronald K., xxx-xx-xxxx
 Eby, Chester L., xxx-xx-xxxx
 Eddins, Nell L., xxx-xx-xxxx
 Edwards, Jay T., III, xxx-xx-xxxx
 Elftmann, John W., Jr., xxx-xx-xxxx
 Elliott, John N., xxx-xx-xxxx
 Ellis, Robert J., xxx-xx-xxxx
 Endres, William J., xxx-xx-xxxx
 Englebrecht, Maynard L., xxx-xx-xxxx
 Erickson, Duane H., xxx-xx-xxxx
 Falletti, Joseph L., xxx-xx-xxxx
 Fanning, Francis R., xxx-xx-xxxx
 Farha, Jimmie L., xxx-xx-xxxx
 Finkelstein, Eugene S., xxx-xx-xxxx
 Fisher, Donald G., xxx-xx-xxxx
 Foster, James E., xxx-xx-xxxx
 Freeman, William E., Jr., xxx-xx-xxxx
 Freyer, Gustav J., xxx-xx-xxxx
 Frias, Reynaldo, xxx-xx-xxxx
 Fuller, Jerry G., xxx-xx-xxxx
 Funk, Carl F., xxx-xx-xxxx
 Geasland, Robert L., xxx-xx-xxxx
 Gentry, Jack C., xxx-xx-xxxx
 George, Thomas R., xxx-xx-xxxx
 Gerrow, Irv R., xxx-xx-xxxx
 Giancola, John R., xxx-xx-xxxx
 Gideon, Willard S., xxx-xx-xxxx
 Gill, Edgar A., Jr., xxx-xx-xxxx
 Gilliland, James E., xxx-xx-xxxx
 Gilmore, Paul J., xxx-xx-xxxx
 Gilmore, William R., xxx-xx-xxxx
 Glavan, Anthony F., xxx-xx-xxxx
 Goetze, Edward D., xxx-xx-xxxx
 Goforth, Charles L., III, xxx-xx-xxxx
 Gowans, Robert V., xxx-xx-xxxx
 Grammes, Richard A., xxx-xx-xxxx
 Green, Ray G., Jr., xxx-xx-xxxx
 Griffin, William K., xxx-xx-xxxx
 Griffiths, John D., xxx-xx-xxxx
 Griggs, Leonard L., Jr., xxx-xx-xxxx
 Grischowsky, Edgar R., xxx-xx-xxxx
 Haag, Richard G., xxx-xx-xxxx
 Hackworth, Robie, xxx-xx-xxxx
 Haddock, Clovis C., xxx-xx-xxxx
 Hagen, Vernon D., xxx-xx-xxxx
 Hall, William W., xxx-xx-xxxx
 Halter, Vincent F., Jr., xxx-xx-xxxx
 Hamilton, Wallace J., xxx-xx-xxxx
 Hampton, John F., xxx-xx-xxxx
 Haney, Robert E., xxx-xx-xxxx
 Hansen, Robert H., xxx-xx-xxxx
 Harbour, Elbert E., xxx-xx-xxxx
 Harral, Gene G., xxx-xx-xxxx
 Harrington, Charles F., Jr., xxx-xx-xxxx
 Harris, Carlyle S., xxx-xx-xxxx
 Hart, Loren V., xxx-xx-xxxx
 Harvell, Joe L., Jr., xxx-xx-xxxx
 Hashimoto, Richard A., xxx-xx-xxxx
 Hausenfleck, Charles H., xxx-xx-xxxx
 Hayes, Herman G., xxx-xx-xxxx
 Hearn, Gale L., xxx-xx-xxxx
 Hecker, Guy L., Jr., xxx-xx-xxxx
 Heinbaugh, Jimmie B., xxx-xx-xxxx
 Heinrich, George F., xxx-xx-xxxx
 Heinz, Edward J., xxx-xx-xxxx
 Helmer, Donald E., xxx-xx-xxxx
 Henderson, Robert H., xxx-xx-xxxx
 Hermann, Robert, xxx-xx-xxxx
 Herning, Charles A., xxx-xx-xxxx
 Herres, Robert T., xxx-xx-xxxx
 Hickman, Gerald J., xxx-xx-xxxx
 Hicks, James N., Jr., xxx-xx-xxxx
 Hildebrandt, Verne B., xxx-xx-xxxx
 Hines, Olive J., xxx-xx-xxxx
 Hlavac, Robert J., xxx-xx-xxxx
 Hocker, Jesse S., xxx-xx-xxxx
 Hoffman, Ralph N., Jr., xxx-xx-xxxx
 Holly, Manford C., Jr., xxx-xx-xxxx
 Holman, William G., xxx-xx-xxxx
 Hoover, William W., xxx-xx-xxxx
 Hosch, Thomas L., xxx-xx-xxxx
 Houghton, Richard B., xxx-xx-xxxx
 Houghton, Stanley P., xxx-xx-xxxx
 Hudson, Fred S., xxx-xx-xxxx
 Hug, Donald F., xxx-xx-xxxx
 Hughes, James C., xxx-xx-xxxx
 Hull, George G., xxx-xx-xxxx
 Hume, Harlan B., xxx-xx-xxxx
 Hunt, Joseph B., Jr., xxx-xx-xxxx
 Huppertz, John F., xxx-xx-xxxx
 Hutcheson, Rufus D., xxx-xx-xxxx
 Hyland, Charles L., xxx-xx-xxxx
 Hyndman, Richard J., xxx-xx-xxxx
 Ingholt, Harald W., xxx-xx-xxxx
 Iten, Robert M., xxx-xx-xxxx
 Jackonis, William N., xxx-xx-xxxx
 Jacobson, Lloyd S., xxx-xx-xxxx
 Janssen, Frank W., xxx-xx-xxxx
 Jennings, Allen L., Jr., xxx-xx-xxxx
 Johnson, Bernard L., xxx-xx-xxxx
 Johnson, Dewey E., xxx-xx-xxxx
 Johnson, Gerald O., xxx-xx-xxxx
 Johnston, Paul G., xxx-xx-xxxx
 Johnston, Randall A., xxx-xx-xxxx
 Jones, Robin L., xxx-xx-xxxx
 Jordan, Herbert R., xxx-xx-xxxx
 Jordan, James M., xxx-xx-xxxx
 Kater, James E., xxx-xx-xxxx
 Keenan, James C., Jr., xxx-xx-xxxx
 Kelly, Fred E., xxx-xx-xxxx
 Kenty, William R., xxx-xx-xxxx
 Kiley, Frederick T., xxx-xx-xxxx
 Kimball, Richard D., xxx-xx-xxxx
 King, Richard K., xxx-xx-xxxx
 Kirk, William L., xxx-xx-xxxx
 Kirkland, Bobby J., xxx-xx-xxxx
 Klaerner, William H., Jr., xxx-xx-xxxx
 Klepper, Stanley O., xxx-xx-xxxx
 Kline, Robert W., xxx-xx-xxxx
 Knott, William J., xxx-xx-xxxx
 Krause, William G., xxx-xx-xxxx
 Krecklow, Charles W., xxx-xx-xxxx
 Kropp, Ray A., xxx-xx-xxxx
 Kyle, James H., xxx-xx-xxxx
 Lajeunesse, Donald W., xxx-xx-xxxx
 Lamberson, Donald L., xxx-xx-xxxx
 Lancaster, Alan H., xxx-xx-xxxx
 Landon, Kenneth S., xxx-xx-xxxx
 Lary, Buford D., xxx-xx-xxxx
 Lee, James W., xxx-xx-xxxx
 Lee, Ralph E., xxx-xx-xxxx
 Legamaro, Salvatore J., xxx-xx-xxxx
 Leombruno, Salvatore J., Jr., xxx-xx-xxxx
 Light, Paul E., Jr., xxx-xx-xxxx
 Lindeman, Robert H., xxx-xx-xxxx
 Linton, Charles R., xxx-xx-xxxx
 Lisella, John F., xxx-xx-xxxx
 Liske, Robert A., xxx-xx-xxxx
 Little, Ronald D., xxx-xx-xxxx
 Lueker, Rano E., xxx-xx-xxxx
 Luke, Guy D., xxx-xx-xxxx
 McCormack, Richard E., xxx-xx-xxxx
 Mack, Jerold R., xxx-xx-xxxx
 MacKenzie, James S., Jr., xxx-xx-xxxx
 MacLeay, Lachlan, xxx-xx-xxxx
 MacLeod, Donald Jr., xxx-xx-xxxx
 Majors, Donald E., xxx-xx-xxxx
 Mali, Robert C., Jr., xxx-xx-xxxx
 Malinverni, Albert, xxx-xx-xxxx
 Mall, William J., Jr., xxx-xx-xxxx
 Marquez, Leo, xxx-xx-xxxx
 Marsh, Edwin L., xxx-xx-xxxx
 Marsh, Gary E., xxx-xx-xxxx
 Martin, Charles H., xxx-xx-xxxx
 Martin, Eugene F., xxx-xx-xxxx
 Martin, John M., xxx-xx-xxxx
 Martin, Walter R., xxx-xx-xxxx
 Marvin, Byron L., xxx-xx-xxxx
 Marzano, Ronald J., xxx-xx-xxxx
 Mason, Robert C., xxx-xx-xxxx
 Matthews, John H., xxx-xx-xxxx
 Maus, Thomas H., xxx-xx-xxxx
 May, Robert C. Jr., xxx-xx-xxxx
 Mayfield, Marvin C., xxx-xx-xxxx
 Maynard, Robert G., xxx-xx-xxxx
 McAneny, John D., xxx-xx-xxxx
 McCarthy, Robert F., xxx-xx-xxxx
 McFadden, Julian R., xxx-xx-xxxx
 McGrew, Ralph E., xxx-xx-xxxx
 McHugh, Thomas B., xxx-xx-xxxx
 McKay, William G., xxx-xx-xxxx
 McKenna, Louis J., xxx-xx-xxxx
 McLain, Roger W., xxx-xx-xxxx
 McLean, Charles G., xxx-xx-xxxx
 McNicholas, James D., xxx-xx-xxxx
 McNiff, Frank L., xxx-xx-xxxx
 McVeigh, William H., III, xxx-xx-xxxx
 McWhorter, Howard H., Jr., xxx-xx-xxxx
 Mehserle, Henry J., xxx-xx-xxxx
 Mellor, Thomas W., Jr., xxx-xx-xxxx
 Merkel, Richard E., xxx-xx-xxxx
 Metzner, Alexander, Jr., xxx-xx-xxxx
 Newborn, Rufus W., xxx-xx-xxxx
 Micale, Peter N., xxx-xx-xxxx
 Michaud, Normand, xxx-xx-xxxx
 Milam, Kenneth R., Jr., xxx-xx-xxxx
 Miles, George S., xxx-xx-xxxx
 Miller, Clark J., xxx-xx-xxxx
 Moffett, William F., xxx-xx-xxxx
 Montgomery, Richard D., xxx-xx-xxxx
 Moore, Harrell M., xxx-xx-xxxx
 Moothart, Jackie E., xxx-xx-xxxx
 Morgan, Joe P., xxx-xx-xxxx
 Morris, Harry A., xxx-xx-xxxx
 Morris, William F., xxx-xx-xxxx
 Morrison, Robert G., xxx-xx-xxxx
 Moser, Richard E., xxx-xx-xxxx
 Moulton, John R., xxx-xx-xxxx
 Muir, Donald L., xxx-xx-xxxx
 Murata, Isamu, xxx-xx-xxxx
 Murray, Richard D., xxx-xx-xxxx
 Myers, Armand J., xxx-xx-xxxx
 Nagahiro, James Y., xxx-xx-xxxx
 Nass, Michael A., xxx-xx-xxxx
 Negus, Kenneth D., Jr., xxx-xx-xxxx
 Nelson, James R., xxx-xx-xxxx
 Newsome, Wesley A., Jr., xxx-xx-xxxx
 Nichols, Carl B., Jr., xxx-xx-xxxx
 Norris, William D., xxx-xx-xxxx
 North, Kenneth W., xxx-xx-xxxx
 Nowlin, Klyne D., xxx-xx-xxxx
 Nuckolls, Norman L., xxx-xx-xxxx
 Nugent, Robert A., xxx-xx-xxxx
 Nugent, Robert E., xxx-xx-xxxx
 Nuhn, Perry R., xxx-xx-xxxx
 Obrien, William J., xxx-xx-xxxx
 Officer, William K., xxx-xx-xxxx
 Cowynn, William S., xxx-xx-xxxx
 Oliver, George W., xxx-xx-xxxx
 Olofson, Tom O., xxx-xx-xxxx
 Olver, Kelsey M., xxx-xx-xxxx
 O'Neal, Joe R., xxx-xx-xxxx
 Owens, Wesley D., xxx-xx-xxxx
 Padden, Maurice C., xxx-xx-xxxx
 Painter, Richard G., xxx-xx-xxxx
 Pair, Lee R., xxx-xx-xxxx
 Palmer, Edward J., Jr., xxx-xx-xxxx
 Pangle, Herbert W., xxx-xx-xxxx
 Papaneri, Anthony, xxx-xx-xxxx
 Park, Karl S., xxx-xx-xxxx
 Parker, Elbert C., xxx-xx-xxxx
 Parkhurst, Donald J., xxx-xx-xxxx
 Paskoski, John J., xxx-xx-xxxx
 Patrick, Charles W., xxx-xx-xxxx
 Patton, David L., xxx-xx-xxxx
 Patton, Orin C., xxx-xx-xxxx
 Peach, Matthew H., xxx-xx-xxxx
 Penney, Ralph S., xxx-xx-xxxx
 Pepe, Robert J., xxx-xx-xxxx
 Perry, Hugh D., xxx-xx-xxxx
 Peshkin, Richard A., xxx-xx-xxxx
 Peterson, Vernon L., xxx-xx-xxxx
 Petty, Robert C., xxx-xx-xxxx
 Pflugrath, Donald O., xxx-xx-xxxx
 Piper, Robert B., xxx-xx-xxxx
 Pitts, Charles R., xxx-xx-xxxx
 Platenberg, Robert I., xxx-xx-xxxx
 Plowden, Robert B., Jr., xxx-xx-xxxx
 Poe, Eugene M., Jr., xxx-xx-xxxx
 Powell, Alton W., xxx-xx-xxxx
 Powell, Charles E., xxx-xx-xxxx
 Powers, George B., Jr., xxx-xx-xxxx
 Priest, James L., xxx-xx-xxxx
 Priestler, Durward K., xxx-xx-xxxx
 Pruitt, Robert F., xxx-xx-xxxx
 Pulham, Thomas D., xxx-xx-xxxx
 Purkiser, Joe B., xxx-xx-xxxx
 Pustay, John S., xxx-xx-xxxx
 Pyne, Ernest L., xxx-xx-xxxx
 Quasney, William R., xxx-xx-xxxx
 Raabe, Paul E., xxx-xx-xxxx
 Rachel, Allen K., xxx-xx-xxxx
 Radtke, Derald J., xxx-xx-xxxx
 Rainwater, William M., xxx-xx-xxxx

Ramsey, Raymond C., xxx-xx-xxxx
 Rardin, Theodore A., xxx-xx-xxxx
 Rawlinson, William R., Jr., xxx-xx-xxxx
 Reece, Jack H., xxx-xx-xxxx
 Reed, Robert R., xxx-xx-xxxx
 Revers, Donald W., xxx-xx-xxxx
 Reyes, Edward D., xxx-xx-xxxx
 Reynolds, Dale L., xxx-xx-xxxx
 Reynolds, Donald R., xxx-xx-xxxx
 Rhyner, Daryl A., xxx-xx-xxxx
 Richardson, Donald W., xxx-xx-xxxx
 Richter, Richard, xxx-xx-xxxx
 Riggert, Melvin E., xxx-xx-xxxx
 Riley, Joseph D., Jr., xxx-xx-xxxx
 Robbins, Edward B., xxx-xx-xxxx
 Robertson, Charles A., xxx-xx-xxxx
 Robillard, Donald F., xxx-xx-xxxx
 Robinette, Jerry O., xxx-xx-xxxx
 Robinson, Richard O., xxx-xx-xxxx
 Rogers, Gardner E., xxx-xx-xxxx
 Rogers, William C., xxx-xx-xxxx
 Ropka, Lawrence, Jr., xxx-xx-xxxx
 Rose, Justis F., Jr., xxx-xx-xxxx
 Rousseau, Lamont E., xxx-xx-xxxx
 Rowley, Charles S., xxx-xx-xxxx
 Ryan, James C., xxx-xx-xxxx
 Sanders, Howard K., xxx-xx-xxxx
 Scallorn, Ben G., xxx-xx-xxxx
 Schafer, David F., xxx-xx-xxxx
 Schalk, Manfred A., xxx-xx-xxxx
 Scharf, Charles J., xxx-xx-xxxx
 Scheldt, Richard J., xxx-xx-xxxx
 Schillerstrom, David O., xxx-xx-xxxx
 Schligh, John, xxx-xx-xxxx
 Schmidt, George J., xxx-xx-xxxx
 Schmidt, Richard H., xxx-xx-xxxx
 Schmidt, Edward P., Jr., xxx-xx-xxxx
 Schreiber, Charles G., xxx-xx-xxxx
 Schroder, Kenneth S., xxx-xx-xxxx
 Schrupp, Walter C., xxx-xx-xxxx
 Schuyler, Danny C., xxx-xx-xxxx
 Scott, William H., III, xxx-xx-xxxx
 Sears, Bobby J., xxx-xx-xxxx
 Sechler, Henry J., xxx-xx-xxxx
 Secrest, Robert D., xxx-xx-xxxx
 Seely, Arthur D., xxx-xx-xxxx
 Shaffran, S. J., xxx-xx-xxxx
 Shepherd, Thomas G., xxx-xx-xxxx
 Siefken, Rollin S., xxx-xx-xxxx
 Simmons, Bland B., xxx-xx-xxxx
 Sizer, Frank E., xxx-xx-xxxx
 Skeans, Ted L., xxx-xx-xxxx
 Skinner, Hosea L., xxx-xx-xxxx
 Smith, Dennis C., xxx-xx-xxxx
 Smith, James A., xxx-xx-xxxx
 Smith, John H., Jr., xxx-xx-xxxx
 Smith, Odie, Jr., xxx-xx-xxxx
 Smith, William D., xxx-xx-xxxx
 Sorrentino, Michael L., xxx-xx-xxxx
 Sparkman, William J., xxx-xx-xxxx
 Spicka, Charles F., xxx-xx-xxxx
 Sprague, Donald L., xxx-xx-xxxx
 Springer, Robert D., xxx-xx-xxxx
 Stanley, Verl R., xxx-xx-xxxx
 Steen, Frank, xxx-xx-xxxx
 Stephenson, Edgar L., Jr., xxx-xx-xxxx
 Stephenson, Robert E., xxx-xx-xxxx
 Stockstill, Floyd E., xxx-xx-xxxx
 Stone, Robert E., xxx-xx-xxxx
 Storz, Forrest E., xxx-xx-xxxx
 Strom, Oren G., xxx-xx-xxxx
 Stromberg, Ronald D., xxx-xx-xxxx
 Strub, James E., xxx-xx-xxxx
 Swanson, Ronald E., xxx-xx-xxxx
 Taffet, Harvey, xxx-xx-xxxx
 Tanner, John D., xxx-xx-xxxx
 Tapman, Thomas F., xxx-xx-xxxx
 Taylor, Stanley A., xxx-xx-xxxx
 Terry, Ronald W., xxx-xx-xxxx
 Thurman, William E., xxx-xx-xxxx
 Todd, Edward L., xxx-xx-xxxx
 Turner, Alvin R., xxx-xx-xxxx
 Turner, Joseph G., Jr., xxx-xx-xxxx
 Underwood, William E., III, xxx-xx-xxxx
 Uptmor, Robert E., xxx-xx-xxxx
 Vanhorn, Boyd L., xxx-xx-xxxx
 Vanloan, Jack L., xxx-xx-xxxx
 Vipraio, William J., xxx-xx-xxxx
 Vivona, Alexander A., Jr., xxx-xx-xxxx
 Vlach, William R., xxx-xx-xxxx

Volpe, John M., xxx-xx-xxxx
 Wacker, Rudolph F., xxx-xx-xxxx
 Waits, Kenneth D., xxx-xx-xxxx
 Walden, Ray Y., Jr., xxx-xx-xxxx
 Waldron, David L., xxx-xx-xxxx
 Walker, William L., xxx-xx-xxxx
 Wall, Carl D., Jr., xxx-xx-xxxx
 Waller, Robert E., xxx-xx-xxxx
 Warrell, Edwin S., Jr., xxx-xx-xxxx
 Watson, Marion R., xxx-xx-xxxx
 Wehling, George E., xxx-xx-xxxx
 Weigman, Richard J., xxx-xx-xxxx
 Welch, Thaddeus B., Jr., xxx-xx-xxxx
 Wellington, Raymond, Jr., xxx-xx-xxxx
 Wells, James P., xxx-xx-xxxx
 Wendt, Phillip J., xxx-xx-xxxx
 West, James H., xxx-xx-xxxx
 Wetzel, Emery S., Jr., xxx-xx-xxxx
 Weyant, Terry P., xxx-xx-xxxx
 Whinery, Clarence E., xxx-xx-xxxx
 White, Robert B., xxx-xx-xxxx
 Wilkerson, Clarence Y., Jr., xxx-xx-xxxx
 Williams, Donald R., xxx-xx-xxxx
 Williams, Roger L., xxx-xx-xxxx
 Wilson, Conrad L., xxx-xx-xxxx
 Wilson, Dwight V., xxx-xx-xxxx
 Wilson, William R., xxx-xx-xxxx
 Windom, Robert W., Jr., xxx-xx-xxxx
 Winstead, Guy H., Jr., xxx-xx-xxxx
 Wish, George V., xxx-xx-xxxx
 Wisneski, Frank R., xxx-xx-xxxx
 Wolfsberger, Richard E., xxx-xx-xxxx
 Wood, Richard W., xxx-xx-xxxx
 Woodruff, Wesley D., xxx-xx-xxxx
 Worman, Wallace D., xxx-xx-xxxx
 Wotring, John T., xxx-xx-xxxx
 Wustner, Lorenz F., xxx-xx-xxxx
 Youngflesh, Richard D., xxx-xx-xxxx
 Yuen, Donald J., xxx-xx-xxxx
 Zambenini, Robert L., xxx-xx-xxxx
 Zartman, John R., xxx-xx-xxxx
 Zook, David H., Jr., xxx-xx-xxxx
 Zulauf, Elmer J., xxx-xx-xxxx

CHAPLAIN CORPS

Bergeron, Robert E., xxx-xx-xxxx
 Branham, Mack C., Jr., xxx-xx-xxxx
 Cole, Newton V., xxx-xx-xxxx
 Houseman, Harry E., xxx-xx-xxxx
 Jacobs, William H., xxx-xx-xxxx
 Meade, Henry J., xxx-xx-xxxx

DENTAL CORPS

Abrams, Herbert, xxx-xx-xxxx
 Aronovitz, Robert, xxx-xx-xxxx
 Brendlinger, Darwin L., xxx-xx-xxxx
 Bydalek, Raymond O., xxx-xx-xxxx
 Davis, Earl W., xxx-xx-xxxx
 Kamish, Phillip, xxx-xx-xxxx
 Krolls, Sigurd O., xxx-xx-xxxx
 Metzger, Donald E., xxx-xx-xxxx
 Richardson, James E., xxx-xx-xxxx
 Rogers, Edward W., xxx-xx-xxxx
 Shaw, Fred A., Jr., xxx-xx-xxxx
 Westin, Richard P., xxx-xx-xxxx
 Wilson, Brice N., xxx-xx-xxxx
 Zwick, Harold H., xxx-xx-xxxx

JUDGE ADVOCATE

Austin, Ronald R., xxx-xx-xxxx
 Gordon, Richard F., xxx-xx-xxxx
 Noone, Michael F., Jr., xxx-xx-xxxx
 Norris, Robert W., xxx-xx-xxxx
 Roberts, John E., Jr., xxx-xx-xxxx
 Rothaus, Murray H., xxx-xx-xxxx
 Stewart, Charles M., xxx-xx-xxxx
 Terry, Jay D., xxx-xx-xxxx
 Ullrich, Julius C., Jr., xxx-xx-xxxx
 Waxstein, Bernard A., Jr., xxx-xx-xxxx

MEDICAL CORPS

Ball, Thomas P., Jr., xxx-xx-xxxx
 Barber, Dennis D., xxx-xx-xxxx
 Bauer, Charles R., xxx-xx-xxxx
 Bonner, Robert H., xxx-xx-xxxx
 Brekken, Alvin L., xxx-xx-xxxx
 Cheng, Alfred K., xxx-xx-xxxx
 Chong, Vernon, xxx-xx-xxxx
 Fidone, George S., xxx-xx-xxxx
 Gregory, Joseph E., xxx-xx-xxxx
 Gustavson, Warner H., xxx-xx-xxxx

Hightower, James O., Jr., xxx-xx-xxxx
 Jones, David R., xxx-xx-xxxx
 Kiplin, Lydel C., xxx-xx-xxxx
 Landew, Melvin, xxx-xx-xxxx
 McGowan, Ronald L., xxx-xx-xxxx
 Meader, Willard L., xxx-xx-xxxx
 Petrauskas, Raymond R., xxx-xx-xxxx
 Plugge, Frederick W., IV, xxx-xx-xxxx
 Preator, Richard F., xxx-xx-xxxx
 Ramos, Edwin D., xxx-xx-xxxx
 Sanders, James G., xxx-xx-xxxx
 Savage, Hilbert B., Jr., xxx-xx-xxxx
 Shallow, James T., xxx-xx-xxxx
 Spelcher, Carl E., xxx-xx-xxxx
 Spoor, Daniel H., xxx-xx-xxxx
 Thompson, Alfred L., Jr., xxx-xx-xxxx
 Youngman, Delyle R., Jr., xxx-xx-xxxx

NURSE CORPS

Johnson, Betty L., xxx-xx-xxxx
 Reid, Mary L., xxx-xx-xxxx

MEDICAL SERVICE CORPS

Blakeney, Joe F., xxx-xx-xxxx
 Currie, William D., xxx-xx-xxxx
 Finn, Joseph J., xxx-xx-xxxx
 Fisher, Jackie V., xxx-xx-xxxx
 Gottlieb, Harold J., xxx-xx-xxxx
 Jacko, Paul P., xxx-xx-xxxx
 Klotzko, John A., xxx-xx-xxxx
 Marschall, Barton R., xxx-xx-xxxx
 Rols, Robert R., xxx-xx-xxxx
 Williams, Walter H., xxx-xx-xxxx

VETERINARY CORPS

Cable, John W., xxx-xx-xxxx
 Jensen, James P., xxx-xx-xxxx
 Pace, William E., xxx-xx-xxxx
 Shuman, Donald G., xxx-xx-xxxx

BIOMEDICAL SCIENCES CORPS

Beatty, Maxine, xxx-xx-xxxx
 Curry, Charles J., xxx-xx-xxxx
 McDonald, Maynard R., xxx-xx-xxxx
 Reardon, Joan A., xxx-xx-xxxx

The following named officer for promotion in the United States Air Force, under the appropriate provisions of Chapter 839, Title 10, United States Code, as amended.

LINE OF THE AIR FORCE

Lieutenant Colonel to Colonel

McKnight, George G., xxx-xx-xxxx

IN THE AIR FORCE

The following officer for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duty indicated, and with date of rank to be determined by the Secretary of the Air Force:

BIOMEDICAL SCIENCES CORPS

To be captain

Sellers, Richard F., Jr., xxx-xx-xxxx

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with the dates of rank to be determined by the Secretary of the Air Force:

To be captain

Kegel, Arthur C., xxx-xx-xxxx

To be first lieutenant

Abbott, James E., xxx-xx-xxxx
 Abrams, Lynn J., xxx-xx-xxxx
 Adams, Harold R., xxx-xx-xxxx
 Adler, Edward H., xxx-xx-xxxx
 Adocchio, Vito A., xxx-xx-xxxx
 Aguirre, Sacasa Rafael E., xxx-xx-xxxx
 Albanes, Maria G., xxx-xx-xxxx
 Aldrich, Gary L., xxx-xx-xxxx
 Aldrich, Raymond E., xxx-xx-xxxx
 Allen, Brian R., xxx-xx-xxxx
 Allwood, Arthur A., Jr., xxx-xx-xxxx
 Ambrose, Gary A., xxx-xx-xxxx
 Anarde, Russell J., xxx-xx-xxxx
 Andersen, Wayne A., xxx-xx-xxxx
 Anderson, Frank J., Jr., xxx-xx-xxxx

Anderson, Ronald C., xxx-xx-xxxx
 Anderson, Ward M., xxx-xx-xxxx
 Angus, Gary M., xxx-xx-xxxx
 Archuleta, Samuel E., xxx-xx-xxxx
 Argenti, John J., xxx-xx-xxxx
 Arien, Kenneth D., xxx-xx-xxxx
 Armor, James B., Jr., xxx-xx-xxxx
 Armstrong, Alan D., xxx-xx-xxxx
 Arnold, Arthur W., xxx-xx-xxxx
 Arnold, Vincent A., xxx-xx-xxxx
 Arpin, David A., xxx-xx-xxxx
 Ashman, Thomas R., xxx-xx-xxxx
 Attenborough, Keith R., xxx-xx-xxxx
 Ayer, Clifford B., III, xxx-xx-xxxx
 Ballard, Daniel P., xxx-xx-xxxx
 Baptiste, Thomas L., xxx-xx-xxxx
 Barchie, Steven L., xxx-xx-xxxx
 Barefoot, Thomas R., xxx-xx-xxxx
 Barker, William H., Jr., xxx-xx-xxxx
 Barlow, Robert A., xxx-xx-xxxx
 Barnes, Dieter, xxx-xx-xxxx
 Bartels, Hilmar H., xxx-xx-xxxx
 Batt, Miles A., xxx-xx-xxxx
 Baxter, Willie, xxx-xx-xxxx
 Beard, Lee R., xxx-xx-xxxx
 Beat, Anthony M., xxx-xx-xxxx
 Beauchamp, Wallace A., III, xxx-xx-xxxx
 Behan, James J., xxx-xx-xxxx
 Behr, Robert J., xxx-xx-xxxx
 Belko, Francis M., xxx-xx-xxxx
 Bell, David G., xxx-xx-xxxx
 Bennett, Barry L., xxx-xx-xxxx
 Benninger, Roger H., xxx-xx-xxxx
 Benton, David E., xxx-xx-xxxx
 Bernstrom, Nanci J., xxx-xx-xxxx
 Best, Michael A., xxx-xx-xxxx
 Bethurum, Leland L., xxx-xx-xxxx
 Betts, Denver A., xxx-xx-xxxx
 Bielucki, Michael D., xxx-xx-xxxx
 Bietry, Alan S., xxx-xx-xxxx
 Biggers, Ted H., Jr., xxx-xx-xxxx
 Bigsby, William L., xxx-xx-xxxx
 Bishop, John A., Jr., xxx-xx-xxxx
 Bishop, Richard H., xxx-xx-xxxx
 Blake, Terry A., xxx-xx-xxxx
 Blechschmidt, Douglas A., xxx-xx-xxxx
 Blevins, Harrol D., xxx-xx-xxxx
 Boal, Robert H., III, xxx-xx-xxxx
 Bolinger, Robert E., xxx-xx-xxxx
 Bolton, Jose, xxx-xx-xxxx
 Bonnett, Bruce J., xxx-xx-xxxx
 Bonngard, James E., xxx-xx-xxxx
 Booth, Thomas E., xxx-xx-xxxx
 Bottoms, James W., Jr., xxx-xx-xxxx
 Bowen, John M., xxx-xx-xxxx
 Boy, Edmund G., xxx-xx-xxxx
 Boyd, John F., xxx-xx-xxxx
 Bradbury, Raymond C., xxx-xx-xxxx
 Bradshaw, Barry L., xxx-xx-xxxx
 Branch, Milton E., Jr., xxx-xx-xxxx
 Brandt, Ronald V., xxx-xx-xxxx
 Briskin, Glenn H., xxx-xx-xxxx
 Brousseau, Paul R., xxx-xx-xxxx
 Brower, John S., xxx-xx-xxxx
 Brown, Bruce A., xxx-xx-xxxx
 Brown, Miller H., Jr., xxx-xx-xxxx
 Brown, Thomas A., xxx-xx-xxxx
 Brown, Tiliu K., xxx-xx-xxxx
 Brownyard, Leo A., xxx-xx-xxxx
 Bryan, William S., III, xxx-xx-xxxx
 Bryant, Carl, xxx-xx-xxxx
 Budd, Suzanne M., xxx-xx-xxxx
 Bueck, Jerry C., xxx-xx-xxxx
 Bugbee, Richard L., Jr., xxx-xx-xxxx
 Bundy, Richard B., xxx-xx-xxxx
 Bunn, Robert S., xxx-xx-xxxx
 Burbridge, Robert S., xxx-xx-xxxx
 Burchard, Glenn O., xxx-xx-xxxx
 Burn, William A., III, xxx-xx-xxxx
 Burrows, Robert L., xxx-xx-xxxx
 Burton, Jerry L., xxx-xx-xxxx
 Busch, Bradley R., xxx-xx-xxxx
 Busing, Fred E., xxx-xx-xxxx
 Butler, Bobbie S., xxx-xx-xxxx
 Buxton, Marilyn P., xxx-xx-xxxx
 Cadorette, Norman V., Jr., xxx-xx-xxxx
 Cagle, Randolph L., xxx-xx-xxxx
 Cameron, Robert W., xxx-xx-xxxx
 Campbell, William H., xxx-xx-xxxx
 Caracciola, James D., xxx-xx-xxxx
 Carlisle, Robert J., III, xxx-xx-xxxx
 Carlson, Jon C., xxx-xx-xxxx
 Carlson, Kenneth W., xxx-xx-xxxx
 Carnduff, John L., Jr., xxx-xx-xxxx
 Carpenter, Dennis M., xxx-xx-xxxx
 Carpenter, Louise M., xxx-xx-xxxx
 Carpio, Ronald A., xxx-xx-xxxx
 Carr, Michael S., xxx-xx-xxxx
 Carrington, Michael S., xxx-xx-xxxx
 Carson, William J., xxx-xx-xxxx
 Casady, Patrick R., xxx-xx-xxxx
 Casaubon, Leon R., xxx-xx-xxxx
 Cate, Larry S., xxx-xx-xxxx
 Cefoldo, George L., xxx-xx-xxxx
 Certo, Richard J., xxx-xx-xxxx
 Chamberlin, Emily E., xxx-xx-xxxx
 Chance, Gerald W., xxx-xx-xxxx
 Chappell, David W., xxx-xx-xxxx
 Chillion, Bruce E., xxx-xx-xxxx
 Chmiola, Stephen J., xxx-xx-xxxx
 Clark, Gregory A., xxx-xx-xxxx
 Clark, James M., Jr., xxx-xx-xxxx
 Clark, Robert A., xxx-xx-xxxx
 Clarke, Donald C., xxx-xx-xxxx
 Clawson, Frank W., xxx-xx-xxxx
 Clear, Dennis J., xxx-xx-xxxx
 Clements, Douglas J., xxx-xx-xxxx
 Clinard, Bruce A., xxx-xx-xxxx
 Clines, John T., xxx-xx-xxxx
 Cliver, Edward W., xxx-xx-xxxx
 Coe, Alan C., xxx-xx-xxxx
 Collette, Randolph P., xxx-xx-xxxx
 Collins, William C., xxx-xx-xxxx
 Comeaux, Joseph J., xxx-xx-xxxx
 Conner, Carl W., xxx-xx-xxxx
 Connolly, John M., xxx-xx-xxxx
 Cook, Larry W., xxx-xx-xxxx
 Coombs, John E., xxx-xx-xxxx
 Cooning, Craig R., xxx-xx-xxxx
 Cope, James M., xxx-xx-xxxx
 Corbitt, Thomas R., xxx-xx-xxxx
 Corcoran, William J., xxx-xx-xxxx
 Cordell, Sammy L., xxx-xx-xxxx
 Cork, Donald B., xxx-xx-xxxx
 Costello, Lawrence M., xxx-xx-xxxx
 Courtney, Alexander A., Jr., xxx-xx-xxxx
 Craig, Thomas E., xxx-xx-xxxx
 Crain, Charles E., III, xxx-xx-xxxx
 Craner, Kent J., xxx-xx-xxxx
 Crawford, Donnie J., xxx-xx-xxxx
 Crews, Timothy J., xxx-xx-xxxx
 Crook, John S., xxx-xx-xxxx
 Croom, Charles E., Jr., xxx-xx-xxxx
 Crowder, William N., xxx-xx-xxxx
 Cruik, Jerry W., xxx-xx-xxxx
 Culkowski, Justin, xxx-xx-xxxx
 Cullen, William P., xxx-xx-xxxx
 Cunningham, John T., xxx-xx-xxxx
 Cutler, James I., Jr., xxx-xx-xxxx
 Cybulski, Carolyn L., xxx-xx-xxxx
 Daggitt, William M., xxx-xx-xxxx
 Daigle, Richard F., xxx-xx-xxxx
 Dailey, Janice I., xxx-xx-xxxx
 Daisley, Russell L., xxx-xx-xxxx
 Damore, Donato P., xxx-xx-xxxx
 Damore, George F., xxx-xx-xxxx
 Dangelo, Justin E., xxx-xx-xxxx
 Daugherty, Dennis R., xxx-xx-xxxx
 Davidson, Thomas L., xxx-xx-xxxx
 Davis, Dale L., xxx-xx-xxxx
 Dawson, Vance, xxx-xx-xxxx
 Dekraay, Ross D., xxx-xx-xxxx
 Denbleyker, Kenneth T., xxx-xx-xxxx
 Denio, William J., xxx-xx-xxxx
 Dennison, Hursel A., Jr., xxx-xx-xxxx
 Denson, Robert M., xxx-xx-xxxx
 Dent, Allison R., xxx-xx-xxxx
 Desautel, James W., xxx-xx-xxxx
 Dewey, David P., xxx-xx-xxxx
 Dixel, Dennis R., xxx-xx-xxxx
 Diemer, Kerry L., xxx-xx-xxxx
 Dionne, James M., xxx-xx-xxxx
 Dixon, Robert, Jr., xxx-xx-xxxx
 Dolly, Richard E., xxx-xx-xxxx
 Donahue, Harold, xxx-xx-xxxx
 Doncer, Richard P., xxx-xx-xxxx
 Dooley, Charles F., xxx-xx-xxxx
 Doran, Michael S., xxx-xx-xxxx
 Doss, Gary W., xxx-xx-xxxx
 Douthit, Raymond A., xxx-xx-xxxx
 Downey, Roger E., xxx-xx-xxxx
 Downs, Donald C., Jr., xxx-xx-xxxx
 Doye, David A., xxx-xx-xxxx
 Dreibelbis, Jeffrey H., xxx-xx-xxxx
 Dues, Mark L., xxx-xx-xxxx
 Dunford, Dale E., xxx-xx-xxxx
 Dunlap, Steven E., xxx-xx-xxxx
 Dupont, Martin E., xxx-xx-xxxx
 Dwyer, Dennis L., xxx-xx-xxxx
 Dye, Joseph, xxx-xx-xxxx
 Dyke, Richard C., xxx-xx-xxxx
 Edmondson, Robert J., xxx-xx-xxxx
 Egizi, Daniel J., xxx-xx-xxxx
 Ellis, Judith D., xxx-xx-xxxx
 Endy, James M., xxx-xx-xxxx
 Eppelman, Herbert B., xxx-xx-xxxx
 Erdman, Jerrold C., xxx-xx-xxxx
 Erickson, James R., xxx-xx-xxxx
 Essary, Bennie G., xxx-xx-xxxx
 Evans, Brinson, xxx-xx-xxxx
 Evans, Stephen M., xxx-xx-xxxx
 Everson, Kenneth L., xxx-xx-xxxx
 Faber, Gregory D., xxx-xx-xxxx
 Fairless, Bobby L., xxx-xx-xxxx
 Farris, Nancy M., xxx-xx-xxxx
 Faust, James M., xxx-xx-xxxx
 Felice, Thomas F., xxx-xx-xxxx
 Felix, Frank D., xxx-xx-xxxx
 Ferguson, Richard D., xxx-xx-xxxx
 Ferrell, David A., xxx-xx-xxxx
 Fields, Larry A., xxx-xx-xxxx
 Fier, William J., xxx-xx-xxxx
 Fingarson, Melvin H., xxx-xx-xxxx
 Fink, Donald W., xxx-xx-xxxx
 Fish, Roman L., xxx-xx-xxxx
 Fisher, Richard M., xxx-xx-xxxx
 Fisher, Rodney A., xxx-xx-xxxx
 Fisher, Thomas W., xxx-xx-xxxx
 Fitzgerald, Leonard P., xxx-xx-xxxx
 Fleet, Stephen A., xxx-xx-xxxx
 Flinn, Donald R., xxx-xx-xxxx
 Floyd, Charles M., II, xxx-xx-xxxx
 Foley, Donald L., xxx-xx-xxxx
 Foley, Michael J., xxx-xx-xxxx
 Folley, John A., xxx-xx-xxxx
 Force, Stuart G., Jr., xxx-xx-xxxx
 Fortune, Michael G., xxx-xx-xxxx
 Francis, James S., xxx-xx-xxxx
 Franks, Raymond L., xxx-xx-xxxx
 Friedl, Raymond G., xxx-xx-xxxx
 Frierson, Allen P., II, xxx-xx-xxxx
 Friese, William R., xxx-xx-xxxx
 Fry, Craig D., xxx-xx-xxxx
 Frye, Donald E., Jr., xxx-xx-xxxx
 Fuccillo, Ronald L., xxx-xx-xxxx
 Furland, Theodore R., xxx-xx-xxxx
 Furr, Gary W., xxx-xx-xxxx
 Gahlinger, Joseph R., xxx-xx-xxxx
 Gale, Roderic A., xxx-xx-xxxx
 Gallagher, Charles P., xxx-xx-xxxx
 Garber, Larry E., xxx-xx-xxxx
 Garcia, John C., xxx-xx-xxxx
 Gard, Ruth A., xxx-xx-xxxx
 Garlock, Frederic R., Jr., xxx-xx-xxxx
 Gartner, Philip, xxx-xx-xxxx
 Gavin, Barnie, xxx-xx-xxxx
 Geiger, Charles K., xxx-xx-xxxx
 Gentrup, Michael L., xxx-xx-xxxx
 Genung, Norman B., xxx-xx-xxxx
 Gilchrist, John D., Jr., xxx-xx-xxxx
 Gilkey, Thomas A., xxx-xx-xxxx
 Gilliam, Tommy R., xxx-xx-xxxx
 Ginnett, Richard H., xxx-xx-xxxx
 Gobbs, Robert E., xxx-xx-xxxx
 Godwin, David H., xxx-xx-xxxx
 Gong, Melvin K., xxx-xx-xxxx
 Goodlow, James D., xxx-xx-xxxx
 Goodnight, Marlin E., Jr., xxx-xx-xxxx
 Gouin, Richard, xxx-xx-xxxx
 Gourdin, Kent N., xxx-xx-xxxx
 Grabowski, Timothy M., xxx-xx-xxxx
 Graham, Forrest R., xxx-xx-xxxx
 Grant, Bruce C., xxx-xx-xxxx
 Grant, Karleen A., xxx-xx-xxxx
 Gravely, Michael L., xxx-xx-xxxx
 Graves, Robert S., xxx-xx-xxxx
 Gregg, Charles, xxx-xx-xxxx
 Griffith, Steven B., xxx-xx-xxxx
 Grogan, James E., xxx-xx-xxxx
 Grogan, Jeffrey J., xxx-xx-xxxx
 Grone, Michael P., xxx-xx-xxxx
 Gross, Wesley M., xxx-xx-xxxx
 Haapala, Christine W., xxx-xx-xxxx
 Hall, Thomas J., xxx-xx-xxxx

Hall, William H., III, xxx-xx-xxxx
 Halpin, Senan, xxx-xx-xxxx
 Hamby, James R., xxx-xx-xxxx
 Hamilton, Kelly S. C., xxx-xx-xxxx
 Hamilton, Roger A., xxx-xx-xxxx
 Hammell, Scott A., xxx-xx-xxxx
 Hand, Earl P., xxx-xx-xxxx
 Handy, John B., xxx-xx-xxxx
 Hansen, Donald H., xxx-xx-xxxx
 Harbage, Johnny C., xxx-xx-xxxx
 Hardebeck, Theodore M., xxx-xx-xxxx
 Harlow, William E., xxx-xx-xxxx
 Harper, Wayne D., xxx-xx-xxxx
 Harrington, Patricia J., xxx-xx-xxxx
 Harris, Larry H., xxx-xx-xxxx
 Harris, Margaret A., xxx-xx-xxxx
 Harrison, Carlisle, Jr., xxx-xx-xxxx
 Hartman, Frank S., xxx-xx-xxxx
 Harwood, Jeffrey W., xxx-xx-xxxx
 Haupt, Stuart L., xxx-xx-xxxx
 Haynes, Richard A., xxx-xx-xxxx
 Haythorn, Thomas B., xxx-xx-xxxx
 Hedges, David K., xxx-xx-xxxx
 Helton, Cecil E., xxx-xx-xxxx
 Henderson, Larry W., xxx-xx-xxxx
 Hendricks, Richard J., xxx-xx-xxxx
 Henning, William R., xxx-xx-xxxx
 Hidy, Joseph W., xxx-xx-xxxx
 Hill, Johnny P., xxx-xx-xxxx
 Hill, Robert L., xxx-xx-xxxx
 Hill, Ronald T., II, xxx-xx-xxxx
 Hilliard, John L., xxx-xx-xxxx
 Hitzelberger, William E., xxx-xx-xxxx
 Hobbs, Robert A., Jr., xxx-xx-xxxx
 Hockett, Steven P., xxx-xx-xxxx
 Hoffman, Robert C., xxx-xx-xxxx
 Hoffmann, Jeanne M., xxx-xx-xxxx
 Holm, Jerry E., xxx-xx-xxxx
 Holte, Charles W., xxx-xx-xxxx
 Hood, Leslie R., xxx-xx-xxxx
 Horan, John J., xxx-xx-xxxx
 Horton, Charles W., xxx-xx-xxxx
 Houser, Jack L., xxx-xx-xxxx
 Howalt, Jerry A., xxx-xx-xxxx
 Howell, Donald L., II, xxx-xx-xxxx
 Hubble, Richard B., xxx-xx-xxxx
 Huey, Lawrence R., xxx-xx-xxxx
 Huggins, Charles C., xxx-xx-xxxx
 Hughes, Barry F., xxx-xx-xxxx
 Hughes, James R., xxx-xx-xxxx
 Humpherys, Willard D., xxx-xx-xxxx
 Hurst, Joseph L., xxx-xx-xxxx
 Hylton, Robert M., xxx-xx-xxxx
 Hysten, Everett L., xxx-xx-xxxx
 Irons, Irving W., III, xxx-xx-xxxx
 Isom, Joseph M., xxx-xx-xxxx
 Jackson, Allen H., xxx-xx-xxxx
 Jackson, Garry C., xxx-xx-xxxx
 Jackson, Hudson N., xxx-xx-xxxx
 Jackson, Jessie R., xxx-xx-xxxx
 Jacobs, Robert W., xxx-xx-xxxx
 Jaworski, Stanley J., Jr., xxx-xx-xxxx
 Jaynes, Rodney C., xxx-xx-xxxx
 Jennings, Dane C., xxx-xx-xxxx
 Jewell, Franklin J., xxx-xx-xxxx
 Johnson, Charles S., xxx-xx-xxxx
 Johnson, Donald W., xxx-xx-xxxx
 Johnson, Douglas W., xxx-xx-xxxx
 Johnson, James M., III, xxx-xx-xxxx
 Johnson, Mark R., xxx-xx-xxxx
 Johnson, Nathaniel, xxx-xx-xxxx
 Johnson, Peter C., xxx-xx-xxxx
 Johnson, Stephen C., xxx-xx-xxxx
 Johnston, Paul T., xxx-xx-xxxx
 Jones, Linda K., xxx-xx-xxxx
 Jones, Stanley E., xxx-xx-xxxx
 Jones, Steven R., xxx-xx-xxxx
 Jones, William W., xxx-xx-xxxx
 Jordan, Edwin G., xxx-xx-xxxx
 Joyner, Carl M., xxx-xx-xxxx
 Kahley, Mark A., xxx-xx-xxxx
 Kaiser, Michael F., xxx-xx-xxxx
 Kaneakua, Walter K., Jr., xxx-xx-xxxx
 Kanske, Craig A., xxx-xx-xxxx
 Kapka, Kenneth S., xxx-xx-xxxx
 Karsk, John C., xxx-xx-xxxx
 Kearney, James M., xxx-xx-xxxx
 Kelmel, John G., xxx-xx-xxxx
 Kemp, Michael J., xxx-xx-xxxx
 Kennedy, James R., xxx-xx-xxxx
 Kennedy, Joseph K., xxx-xx-xxxx
 Kessel, Jacob, xxx-xx-xxxx
 Kimbell, James R., xxx-xx-xxxx
 King, Alan C., xxx-xx-xxxx
 King, Dennis A., Jr., xxx-xx-xxxx
 King, Georganna L., xxx-xx-xxxx
 King, Peter D., xxx-xx-xxxx
 King, Richard X., xxx-xx-xxxx
 Kinman, Samuel D., xxx-xx-xxxx
 Kinman, William B., III, xxx-xx-xxxx
 Kintner, Henry B., xxx-xx-xxxx
 Kley, Edgar P., xxx-xx-xxxx
 Kliebert, Allen G., Jr., xxx-xx-xxxx
 Klutts, Joe A., xxx-xx-xxxx
 Knight, Jerry N., xxx-xx-xxxx
 Kobussen, Anthony J., xxx-xx-xxxx
 Kolesar, Edward S., Jr., xxx-xx-xxxx
 Kozik, Richard V., xxx-xx-xxxx
 Kozlowski, Edward M., xxx-xx-xxxx
 Kraussman, James P., xxx-xx-xxxx
 Kreer, Thomas D., xxx-xx-xxxx
 Kress, Henry J., IV, xxx-xx-xxxx
 Kun, Michael L., xxx-xx-xxxx
 Kuykendall, Thomas R., xxx-xx-xxxx
 Labarre, Paul D., xxx-xx-xxxx
 Landon, Robert J., xxx-xx-xxxx
 Landry, Terry J., xxx-xx-xxxx
 Lanning, Randall L., xxx-xx-xxxx
 Larivee, Ronald L., xxx-xx-xxxx
 Larsen, Edwin M., xxx-xx-xxxx
 Larson, Greg P., xxx-xx-xxxx
 Latham, William R., Jr., xxx-xx-xxxx
 Latino, Rocco A., xxx-xx-xxxx
 Laubenthal, Sanders A., xxx-xx-xxxx
 Laufer, Jeffrey M., xxx-xx-xxxx
 Lee, Donald R., xxx-xx-xxxx
 Lee, Gregory M., xxx-xx-xxxx
 Lee, Rickey A., xxx-xx-xxxx
 Lee, Robert, xxx-xx-xxxx
 Lefevers, William L., III, xxx-xx-xxxx
 Lemasters, Clinton D., Jr., xxx-xx-xxxx
 Leonard, Ronnie K., xxx-xx-xxxx
 Lesko, Andrew J., xxx-xx-xxxx
 Lewallen, Jerry C., xxx-xx-xxxx
 Lewandowski, Karl F., xxx-xx-xxxx
 Lewis, Dale D., xxx-xx-xxxx
 Lewis, Jesse L., xxx-xx-xxxx
 Lewis, Paul C., xxx-xx-xxxx
 Limozaine, Bruce J., xxx-xx-xxxx
 Linn, Robert G., Jr., xxx-xx-xxxx
 Linnemann, Jean I., xxx-xx-xxxx
 Lischka, Dennis L., xxx-xx-xxxx
 Little, Daniel M., Jr., xxx-xx-xxxx
 Lockridge, Ronald H., xxx-xx-xxxx
 Lokey, Ann M., xxx-xx-xxxx
 Long, Sydney C., xxx-xx-xxxx
 Longshore, Harvey B., III, xxx-xx-xxxx
 Lowell, James R., xxx-xx-xxxx
 Lukacs, Alexander, III, xxx-xx-xxxx
 Luke, David M., xxx-xx-xxxx
 Luloff, Gary I., xxx-xx-xxxx
 Lusk, Thomas J., xxx-xx-xxxx
 Luzitano, Robert D., xxx-xx-xxxx
 Mael, Richard D., xxx-xx-xxxx
 Magee, William J., xxx-xx-xxxx
 Magill, William E., xxx-xx-xxxx
 Mallaley, Gary L., xxx-xx-xxxx
 Mallory, Michael S., xxx-xx-xxxx
 Manke, Frederic P., Jr., xxx-xx-xxxx
 Mardiguan, Armen E., xxx-xx-xxxx
 Mariano, David A., xxx-xx-xxxx
 Mariotti, Joe, Jr., xxx-xx-xxxx
 Marker, James A., Jr., xxx-xx-xxxx
 Markle, Edwin G., xxx-xx-xxxx
 Marks, Richard R., xxx-xx-xxxx
 Maroney, Jerry C., xxx-xx-xxxx
 Martin, Charles R., xxx-xx-xxxx
 Martin, Glyn D., xxx-xx-xxxx
 Martin, Jackie R., xxx-xx-xxxx
 Massey, Lanny E., xxx-xx-xxxx
 Mathena, Melvin R., xxx-xx-xxxx
 Matsuda, Craig S., xxx-xx-xxxx
 Matthews, Mary K., xxx-xx-xxxx
 Mattingly, Robert A., xxx-xx-xxxx
 Maule, Charles R., xxx-xx-xxxx
 Mauney, William L., Jr., xxx-xx-xxxx
 Maw, Blaine D., xxx-xx-xxxx
 Maxwell, Dickey E., xxx-xx-xxxx
 Mayer, Richard J., xxx-xx-xxxx
 McCarthy, Donald J., xxx-xx-xxxx
 McCarthy, Robert M., xxx-xx-xxxx
 McClellan, Emmett G., Jr., xxx-xx-xxxx
 McCreary, John F., xxx-xx-xxxx
 McDonnell, Robert E., xxx-xx-xxxx
 McElveen, Cornelius, Jr., xxx-xx-xxxx
 McGlown, Bobby C., xxx-xx-xxxx
 McKenzie, Richard W., xxx-xx-xxxx
 McKinney, Richard W., xxx-xx-xxxx
 McMurray, Ted C., xxx-xx-xxxx
 McNeely, David L., xxx-xx-xxxx
 McNelis, Janet K., xxx-xx-xxxx
 McPherson, Larry, xxx-xx-xxxx
 McSpadden, David L., xxx-xx-xxxx
 Meashey, Kenneth H., xxx-xx-xxxx
 Melcher, Michael G., xxx-xx-xxxx
 Melgare, Lawrence B., xxx-xx-xxxx
 Merriken, John W., xxx-xx-xxxx
 Messenger, Arthur M., xxx-xx-xxxx
 Messenger, Louise M., xxx-xx-xxxx
 Metrusky, Frank E., xxx-xx-xxxx
 Metzger, Thomas W., xxx-xx-xxxx
 Meyers, Kathryn A., xxx-xx-xxxx
 Milchanowski, Jack E., xxx-xx-xxxx
 Miller, Alan R., xxx-xx-xxxx
 Miller, Bruce C., xxx-xx-xxxx
 Miller, Denzil W., xxx-xx-xxxx
 Miller, James C., IV, xxx-xx-xxxx
 Miller, James N., xxx-xx-xxxx
 Miller, Martin K., xxx-xx-xxxx
 Miller, Thomas D., xxx-xx-xxxx
 Mills, Archie W., Jr., xxx-xx-xxxx
 Minto, Paul E., xxx-xx-xxxx
 Mitchell, Robert E., xxx-xx-xxxx
 Mobley, Robert E., xxx-xx-xxxx
 Mohr, John F., Jr., xxx-xx-xxxx
 Moore, Danny J., xxx-xx-xxxx
 Moore, Jerry J., xxx-xx-xxxx
 Moore, Kerry F., xxx-xx-xxxx
 Moore, William L., xxx-xx-xxxx
 Moores, Charles D., xxx-xx-xxxx
 Moorhead, Alan R., xxx-xx-xxxx
 Mooy, Peter R., xxx-xx-xxxx
 Moran, Robert E., Jr., xxx-xx-xxxx
 Morrison, Donald H., xxx-xx-xxxx
 Morrison, Katherine R., xxx-xx-xxxx
 Morse, Gregory C., xxx-xx-xxxx
 Mosley, Clyde A., xxx-xx-xxxx
 Mosso, Karl J., xxx-xx-xxxx
 Moulds, David C., xxx-xx-xxxx
 Moultrie, Patricia, xxx-xx-xxxx
 Moundalexis, Michael R., xxx-xx-xxxx
 Moyer, Glenn E., xxx-xx-xxxx
 Mulhare, Ross E., xxx-xx-xxxx
 Mullaney, Patrick C., xxx-xx-xxxx
 Mullinax, Donald D., xxx-xx-xxxx
 Munoz, Robert F., xxx-xx-xxxx
 Murphy, Thomas J., xxx-xx-xxxx
 Musgrave, James F., xxx-xx-xxxx
 Myers, William P., Jr., xxx-xx-xxxx
 Myhre, Steven D., xxx-xx-xxxx
 Nance, Joe W., xxx-xx-xxxx
 Nanfelt, Thomas E., xxx-xx-xxxx
 Naumann, Gerald W., xxx-xx-xxxx
 Nazimek, Larry E., xxx-xx-xxxx
 Neary, Robert I., xxx-xx-xxxx
 Nelson, Clark K., xxx-xx-xxxx
 Nelson, Gale N., xxx-xx-xxxx
 Nelson, Gary L., xxx-xx-xxxx
 Ness, Irvin C., xxx-xx-xxxx
 Neve, Trevor L., xxx-xx-xxxx
 Newcome, Laurence R., xxx-xx-xxxx
 Newton, John S., xxx-xx-xxxx
 Newton, Ronald A., xxx-xx-xxxx
 Nicholson, Howard C., xxx-xx-xxxx
 Nido, Jose E., xxx-xx-xxxx
 Niemiec, Gregory J., xxx-xx-xxxx
 Noble, Edwin E., xxx-xx-xxxx
 Noble, Lamont A., xxx-xx-xxxx
 Nolan, Geoffrey L., xxx-xx-xxxx
 Nolan, John G., xxx-xx-xxxx
 Nolan, John G., xxx-xx-xxxx
 Norelli, Allen M., xxx-xx-xxxx
 Nydegger, John E., xxx-xx-xxxx
 Obering, Henry A., III, xxx-xx-xxxx
 Oden, Richard E., xxx-xx-xxxx
 Ohman, Arthur A., xxx-xx-xxxx
 Openshaw, James N., xxx-xx-xxxx
 Orgeron, Jay E., xxx-xx-xxxx
 Parish, Richard E., xxx-xx-xxxx
 Parks, Scott E., xxx-xx-xxxx
 Parrington, Carol A., xxx-xx-xxxx

Parris, Winfred G., xxx-xx-xxxx
 Parrish, Harry J., II, xxx-xx-xxxx
 Partenhelmer, Dennis R., xxx-xx-xxxx
 Patterson, Johnny D., xxx-xx-xxxx
 Pawlowski, Anthony F., xxx-xx-xxxx
 Pearce, Edward J., III, xxx-xx-xxxx
 Pearce, Kenneth H., xxx-xx-xxxx
 Peck, Lyle G., xxx-xx-xxxx
 Peck, Ronald E., xxx-xx-xxxx
 Peeples, David D., xxx-xx-xxxx
 Penick, George L., xxx-xx-xxxx
 Pennington, William A., xxx-xx-xxxx
 Peoples, Samuel, xxx-xx-xxxx
 Peter, Thomas W., xxx-xx-xxxx
 Peterson, Dale A., xxx-xx-xxxx
 Pettipren, Michael J., xxx-xx-xxxx
 Petrilla, John D., xxx-xx-xxxx
 Petrin, Leo J., xxx-xx-xxxx
 Petty, Larry L., xxx-xx-xxxx
 Phelan, Edward D., III, xxx-xx-xxxx
 Philbin, Frank M., xxx-xx-xxxx
 Pickell, Donald L., Jr., xxx-xx-xxxx
 Piepmeyer, Jerry D., xxx-xx-xxxx
 Pieropan, Richard, xxx-xx-xxxx
 Pilgrim, Jerry L., xxx-xx-xxxx
 Pinter, Michael W., xxx-xx-xxxx
 Pollard, Marshall C., xxx-xx-xxxx
 Portele, Michael A., xxx-xx-xxxx
 Poturski, Richard J., xxx-xx-xxxx
 Power, Richard D., xxx-xx-xxxx
 Presson, Charles E., II, xxx-xx-xxxx
 Preston, Robert E., xxx-xx-xxxx
 Prickett, Charles E., xxx-xx-xxxx
 Prideaux, James R., xxx-xx-xxxx
 Pritchett, Joe E., xxx-xx-xxxx
 Probasco, Michael T., xxx-xx-xxxx
 Pruitt, Sharon A., xxx-xx-xxxx
 Pugh, Jonathan M., xxx-xx-xxxx
 Quigley, Dale W., xxx-xx-xxxx
 Radebaugh, Bruce C., xxx-xx-xxxx
 Rahne, John P., xxx-xx-xxxx
 Ramos, Angel R., xxx-xx-xxxx
 Randby, James E., xxx-xx-xxxx
 Randles, Andrew E., xxx-xx-xxxx
 Rausch, Edward W., xxx-xx-xxxx
 Rausch, Robert J., xxx-xx-xxxx
 Ravaglia, Alfred, Jr., xxx-xx-xxxx
 Ravin, Steven E., xxx-xx-xxxx
 Regehr, Walter F., Jr., xxx-xx-xxxx
 Rehm, Danny C., xxx-xx-xxxx
 Rendon, Tiburcio E., Jr., xxx-xx-xxxx
 Reynolds, Charles M., Jr., xxx-xx-xxxx
 Richards, Raoul J., xxx-xx-xxxx
 Richardson, Larry D., xxx-xx-xxxx
 Richardson, Patton J., xxx-xx-xxxx
 Rider, Regner, C., xxx-xx-xxxx
 Riley, Barbara U., xxx-xx-xxxx
 Rinehart, William J., xxx-xx-xxxx
 Rivera, Ramon, xxx-xx-xxxx
 Roach, Ronald H., xxx-xx-xxxx
 Robert, Edmond W., xxx-xx-xxxx
 Roberts, Raymond J., xxx-xx-xxxx
 Robertson, Joel W., xxx-xx-xxxx
 Robina, Mathew R., xxx-xx-xxxx
 Robinson, Gary L., xxx-xx-xxxx
 Robinson, Samuel, Jr., xxx-xx-xxxx
 Rodriguez, Fidel, Jr., xxx-xx-xxxx
 Rodriguez, Rogelio, xxx-xx-xxxx
 Roeder, Catherine A., xxx-xx-xxxx
 Rogers, Arthur N., xxx-xx-xxxx
 Rogers, Drew J., xxx-xx-xxxx
 Rogers, Kendall C., xxx-xx-xxxx
 Rogers, Mark D., xxx-xx-xxxx
 Rolando, John A., xxx-xx-xxxx
 Romand, Ronald V., xxx-xx-xxxx
 Rosa, John W., Jr., xxx-xx-xxxx
 Rose, Lenny E., xxx-xx-xxxx
 Roseth, Eugene F., xxx-xx-xxxx
 Ross, Bruce C., xxx-xx-xxxx
 Ross, Edward W., xxx-xx-xxxx
 Ross, George A., xxx-xx-xxxx
 Ross, John L., xxx-xx-xxxx
 Rothra, Keith A., xxx-xx-xxxx
 Royer, Dennis M., xxx-xx-xxxx
 Rudd, Steven, xxx-xx-xxxx
 Ruffolo, Joseph P., Jr., xxx-xx-xxxx
 Ruiz, Ronnie P., xxx-xx-xxxx
 Rumley, Charles A., Jr., xxx-xx-xxxx
 Russell, Benjamin F., Jr., xxx-xx-xxxx
 Russell, Dennis E., xxx-xx-xxxx
 Russell, Howard A., xxx-xx-xxxx
 Salter, Harry L., xxx-xx-xxxx
 Samuel, Charles E., xxx-xx-xxxx
 Sanchez, Gregory E., xxx-xx-xxxx
 Sand, John C., xxx-xx-xxxx
 Sanford, Henry N., xxx-xx-xxxx
 Sansone, Anthony M., xxx-xx-xxxx
 Sass, Leslie N., xxx-xx-xxxx
 Savage, Richard M., xxx-xx-xxxx
 Savage, Robert M., Jr., xxx-xx-xxxx
 Say, Michael E., Jr., xxx-xx-xxxx
 Schaaf, Gregory H., xxx-xx-xxxx
 Scheibler, Robert M., xxx-xx-xxxx
 Scheller, Michael G., xxx-xx-xxxx
 Schmidt, Tommy B., xxx-xx-xxxx
 Schott, Christine E., xxx-xx-xxxx
 Schrank, William J., xxx-xx-xxxx
 Schroer, Kenneth W., xxx-xx-xxxx
 Schuler, Joseph R., xxx-xx-xxxx
 Schultz, Daniel C., xxx-xx-xxxx
 Schuster, Alexander, xxx-xx-xxxx
 Scott, Paul M., xxx-xx-xxxx
 Seely, David O., xxx-xx-xxxx
 Sempel, Gary D., xxx-xx-xxxx
 Seman, Terrance E., xxx-xx-xxxx
 Sgroi, Anthony S., xxx-xx-xxxx
 Shada, Mark, xxx-xx-xxxx
 Shaub, James R., xxx-xx-xxxx
 Shellhouse, Glenn A., xxx-xx-xxxx
 Shepard, Randall L., xxx-xx-xxxx
 Sherck, Charles L., xxx-xx-xxxx
 Sherwood, Steven E., xxx-xx-xxxx
 Shroads, David A., xxx-xx-xxxx
 Simmons, Levon, xxx-xx-xxxx
 Sims, Larry E., xxx-xx-xxxx
 Singer, James M., xxx-xx-xxxx
 Sitzmann, Thomas W., xxx-xx-xxxx
 Sjoberg, Michael P., xxx-xx-xxxx
 Sladek, Sharon L., xxx-xx-xxxx
 Smethurst, Ann O., xxx-xx-xxxx
 Smith, Bobby G., xxx-xx-xxxx
 Smith, Coleman R., Jr., xxx-xx-xxxx
 Smith, David D., xxx-xx-xxxx
 Smith, Dillon S., xxx-xx-xxxx
 Smith, Jerry H., xxx-xx-xxxx
 Smith, Odell A., Jr., xxx-xx-xxxx
 Smith, Samuel C., xxx-xx-xxxx
 Smith, Winfield H., xxx-xx-xxxx
 Snell, William L., xxx-xx-xxxx
 Snyder, Daniel T., xxx-xx-xxxx
 Snyder, James M., Jr., xxx-xx-xxxx
 Sorenson, Russell G., xxx-xx-xxxx
 Sorrelle, Lane S., xxx-xx-xxxx
 Soucy, Philip L., xxx-xx-xxxx
 Stanberry, Garry W., xxx-xx-xxxx
 Steele, Robert P., xxx-xx-xxxx
 Steiner, James M., xxx-xx-xxxx
 Steinhagen, Robert J., II, xxx-xx-xxxx
 Stephens, Gerald L., Jr., xxx-xx-xxxx
 Stetson, Sherry A., xxx-xx-xxxx
 Stevener, David E., xxx-xx-xxxx
 Stevens, James E., xxx-xx-xxxx
 Stewart, Kenneth D., xxx-xx-xxxx
 Stickelstad, Lenard L., xxx-xx-xxxx
 Stoer, Erik H., xxx-xx-xxxx
 Stokes, Edward S., III, xxx-xx-xxxx
 Stone, David L., xxx-xx-xxxx
 Storey, Robert W., xxx-xx-xxxx
 Strautman, William D., xxx-xx-xxxx
 Stroud, John E., xxx-xx-xxxx
 Stuart, Kermit M., xxx-xx-xxxx
 Stuckert, Robert I., xxx-xx-xxxx
 Sublette, Kenneth L., xxx-xx-xxxx
 Sullenger, George S., xxx-xx-xxxx
 Sullivan, Karl S., Jr., xxx-xx-xxxx
 Sullivan, Ronnie D., xxx-xx-xxxx
 Swartzbaugh, Dennis J., xxx-xx-xxxx
 Sweeney, Michael A., xxx-xx-xxxx
 Sylvester, Roger A., xxx-xx-xxxx
 Tatchio, Ted A., xxx-xx-xxxx
 Tavener, James W., xxx-xx-xxxx
 Taylor, Dwight R., xxx-xx-xxxx
 Taylor, James B., xxx-xx-xxxx
 Taylor, Terry D., xxx-xx-xxxx
 Taylor, William R., xxx-xx-xxxx
 Teague, Kenneth E., xxx-xx-xxxx
 Tedor, Thomas P., xxx-xx-xxxx
 Thayer, Patrick M., xxx-xx-xxxx
 Thill, James L., xxx-xx-xxxx
 Thode, Stephen F., xxx-xx-xxxx
 Thoma, William C., xxx-xx-xxxx
 Thomas, Blake W., xxx-xx-xxxx
 Thomas, James P., xxx-xx-xxxx
 Thomas, Warren E., xxx-xx-xxxx
 Thomits, James R., xxx-xx-xxxx
 Thompson, KC, xxx-xx-xxxx
 Thomson, Larry D., xxx-xx-xxxx
 Thornberry, Jerry R., xxx-xx-xxxx
 Tiley, Calvin E., xxx-xx-xxxx
 Tillman, William A., xxx-xx-xxxx
 Tisue, Wayne C., xxx-xx-xxxx
 Toll, Philip A., Jr., xxx-xx-xxxx
 Tomlinson, John R., III, xxx-xx-xxxx
 Tompros, John E., xxx-xx-xxxx
 Totsch, James P., xxx-xx-xxxx
 Towle, Richard A., xxx-xx-xxxx
 Travers, Gerard W., xxx-xx-xxxx
 Trempe, Robert E., xxx-xx-xxxx
 Tucker, George S., xxx-xx-xxxx
 Tucker, Raymond W., Jr., xxx-xx-xxxx
 Tull, Lawrence M., xxx-xx-xxxx
 Turley, Robert B., xxx-xx-xxxx
 Turnipseed, Jon K., xxx-xx-xxxx
 Tworek, Michael L., xxx-xx-xxxx
 Uebelacker, Sally D., xxx-xx-xxxx
 Underwood, Robert W., xxx-xx-xxxx
 Urban, John F., xxx-xx-xxxx
 Utz, Bradley W., xxx-xx-xxxx
 Vahle, Michael O., xxx-xx-xxxx
 Valigura, James F., xxx-xx-xxxx
 Vance, Gary M., xxx-xx-xxxx
 Vandehey, Dale M., xxx-xx-xxxx
 Vanzandt, Paul H., xxx-xx-xxxx
 Varady, Bertalan J., xxx-xx-xxxx
 Vaughan, Ronald J., xxx-xx-xxxx
 Verano, Miguel, xxx-xx-xxxx
 Vikla, Marvin G., xxx-xx-xxxx
 Vogler, Robert C., xxx-xx-xxxx
 Voyles, Clyde P., xxx-xx-xxxx
 Waeber, Gregory G., xxx-xx-xxxx
 Wagner, Ronald L., xxx-xx-xxxx
 Walden, Donald H., xxx-xx-xxxx
 Walker, Charles T., III, xxx-xx-xxxx
 Walker, William H., xxx-xx-xxxx
 Wallachy, Bruce E., xxx-xx-xxxx
 Walls, Sandra K., xxx-xx-xxxx
 Waln, Christopher A., xxx-xx-xxxx
 Walsh, Richard J., xxx-xx-xxxx
 Walton, David L., xxx-xx-xxxx
 Warner, John D., Jr., xxx-xx-xxxx
 Washington, John L., Jr., xxx-xx-xxxx
 Waters, Thomas R. E., xxx-xx-xxxx
 Weathers, Curry P., Jr., xxx-xx-xxxx
 Weaver, Karen L., xxx-xx-xxxx
 Weavil, Nathan R., xxx-xx-xxxx
 Webb, Morris D., xxx-xx-xxxx
 Weber, Donald L., xxx-xx-xxxx
 Webster, James R., xxx-xx-xxxx
 Weeks, William S., xxx-xx-xxxx
 Wegemer, Leo B., xxx-xx-xxxx
 Wegner, Jon A., xxx-xx-xxxx
 Werner, Patrick R., xxx-xx-xxxx
 West, Walter D., xxx-xx-xxxx
 Westbrook, Chris R., xxx-xx-xxxx
 Wheatcraft, Louis S., xxx-xx-xxxx
 Wheeler, Neil J. M., xxx-xx-xxxx
 Whitcomb, Bruce F., xxx-xx-xxxx
 White, Gerald L., xxx-xx-xxxx
 White, Jack R., xxx-xx-xxxx
 White, John R., xxx-xx-xxxx
 White, Stephen D., xxx-xx-xxxx
 Whitehead, Donald G., xxx-xx-xxxx
 Whitney, Michael J., xxx-xx-xxxx
 Wiatrek, Kenneth J., xxx-xx-xxxx
 Wiggins, Tony L., xxx-xx-xxxx
 Wilhelm, William A., xxx-xx-xxxx
 Williams, Danny L., xxx-xx-xxxx
 Williams, Eugene C., xxx-xx-xxxx
 Williams, Howard, xxx-xx-xxxx
 Williams, Laforrest V., xxx-xx-xxxx
 Williams, Stephen L., xxx-xx-xxxx
 Williams, Wayne E., xxx-xx-xxxx
 Willis, James R., xxx-xx-xxxx
 Willis, Ward T., xxx-xx-xxxx
 Willison, Daniel P., xxx-xx-xxxx
 Wilson, Frank E., xxx-xx-xxxx
 Wilson, James L., Jr., xxx-xx-xxxx
 Wilson, Michael P., xxx-xx-xxxx
 Wingertshahn, Lawrence E., xxx-xx-xxxx
 Wolfe, Donald P., Jr., xxx-xx-xxxx
 Wolff, Douglas M., xxx-xx-xxxx
 Woloszynek, Daniel R., xxx-xx-xxxx
 Woodard, Homer O., xxx-xx-xxxx
 Woodford, Paul Q. G., xxx-xx-xxxx
 Woods, Thomas D., xxx-xx-xxxx

Woolman, Guy A., xxx-xx-xxxx
 Wozniak, Vincent E., xxx-xx-xxxx
 Wright, John J., xxx-xx-xxxx
 Wynn, Thomas F., Jr., xxx-xx-xxxx
 Yates, Larry L., xxx-xx-xxxx
 Yates, Steven K., xxx-xx-xxxx
 Young, Dale E., xxx-xx-xxxx
 Young, Roger A., xxx-xx-xxxx
 Young, Stuart A., xxx-xx-xxxx
 Young, Teresa M., xxx-xx-xxxx
 Zaniwski, Gregory S., xxx-xx-xxxx
 Zasada, David M., xxx-xx-xxxx
 Zauner, Paul F., xxx-xx-xxxx
 Zeller, Darrell J., xxx-xx-xxxx
 Zoerb, Daniel R., xxx-xx-xxxx

To be second lieutenant

Achramowicz, Stephen W., xxx-xx-xxxx
 Amend, Joseph H. III, xxx-xx-xxxx
 Aydelotte, Roy R. L., Jr., xxx-xx-xxxx
 Beckwith, Douglas C., xxx-xx-xxxx
 Bergeron, Philip D., xxx-xx-xxxx
 Brandberry, Frank A., xxx-xx-xxxx
 Brust, Richard A., xxx-xx-xxxx
 Colliander, Richard J., xxx-xx-xxxx
 Furtado, Edward L., xxx-xx-xxxx
 Gaither, Stephen K., xxx-xx-xxxx
 Hodges, Mark W., xxx-xx-xxxx
 Humbach, Thomas S., xxx-xx-xxxx
 Hyzak, John B., xxx-xx-xxxx
 Jones, James B., xxx-xx-xxxx
 Lawler, Bryan T., xxx-xx-xxxx
 McDaniel, James M., xxx-xx-xxxx
 Miller, Stephen A., xxx-xx-xxxx
 Nicholls, Joseph A., xxx-xx-xxxx
 Olsen, Steven H., xxx-xx-xxxx
 Reider, Robert D., xxx-xx-xxxx
 Robinson, Stanley E., xxx-xx-xxxx
 Scheurer, Dale Y., xxx-xx-xxxx
 Slipky, Richard E., xxx-xx-xxxx
 Townsend, Richard L., xxx-xx-xxxx
 Waguespack, Leslie J., Jr., xxx-xx-xxxx
 Watkins, Ray M., xxx-xx-xxxx
 Wegener, Steven M., xxx-xx-xxxx

IN THE MARINE CORPS

The following-named (Naval Reserve Officer Training Corps) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Appel, Robert A.	McKnight,
Bark, Kevin D.	Terrence W.
Bloodsaw, Quintin	Meurer, Daniel J.
Brown, Terry L.	Milton, Frederick R.,
Bryant, Martin E.	Jr.
Cushing, Daniel E.	Myers, Wynn C.
Fawcette, Howard E.	Shafer, Ronald A.
Fisher, Daniel H.	Smith, James V., III
Gottlich, Robert P.	Sublett, Stephen W.
Love, Patrick D.	Walton, Warren H.
Mahany, Roy J.	Winandy, David B.

The following-named (Marine Corps Enlisted Commissioning Education program) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Atwell, Michael L.	Kostelny, Brandon J.
Burgess, Ronald E.	Lobb, Michael J.
Corbett, Thomas M.	Shumway, Stanley G.
Jackson, William A.	Wilson, William R., III

The following-named (U.S. Air Force Academy) graduates for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Davis, Thomas J.
 Gragan, David P.

The following-named warrant officer, U.S. Marine Corps Reserve for appointment to commissioned grade in the Marine Corps, subject to the qualifications therefor as provided by law:

Needels, Charles S.

Executive nominations received by the Senate on April 12, 1977, under the authority of the order of April 6, 1977:

DEPARTMENT OF JUSTICE

Michael D. Hawkins, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years, vice William C. Smitherman, resigned.

OFFICE OF MANAGEMENT AND BUDGET

Lester A. Fettig, of Virginia, to be Administrator for Federal Procurement Policy, vice Hugh E. Witt, resigned.

IN THE NAVY

The following-named commanders of the Reserve of the U.S. Navy for temporary promotion to the grade of captain in the line and staff corps, as indicated, pursuant to title 10, United States Code, section 5910, subject to qualification therefor as provided by law:

LINE

Adema, Henry T.	English, Glenn A.
Anderson, Albert C., Jr.	Epstein, Charles S.
Anderson, Don R.	Etheridge, Tammy H.
Anderson, Samuel A.	Fare, Claude L.
Angell, Abe L., Jr.	Farmer, Fred F.
Armstrong, Richard E.	Farris, Gary F.
Auerbach, Richard C.	Fenderson, George D.
Bader, William B.	Ferraro, Carlo, Jr.
Bambo, Gregory B., Jr.	Ferrell, Edward S.
Bareikis, Robert P.	Findlay, Charles N.
Barker, Lowell R.	Flanagan, William J.
Bassett, James S.	Flanigan, Mark
Beard, Joseph J.	Fleming, John R., Jr.
Bedenbaugh, William H.	Fletcher, William L., III
Bell, Charles E., Jr.	Folger, David W.
Bell, William F.	Forehand, Ronald
Benson, William T.	Francis, Jon K.
Betsworth, Brian C.	Franz, Donald R.
Beytagh, Francis X., Jr.	Freedson, Ralph
Blanchi, John R.	Frey, Louis, Jr.
Blake, Van H.	Frohlich, Andrew S.
Blakeman, Frederic B.	Fujimoto, Akira F.
Borgard, Glenn E.	Furdak, Edward J.
Borgardt, Elmer G.	Ganey, John R.
Bratcher, Clilen D.	Gastley, Richard D.
Brooks, Gerald R.	Gehrig, Neil Edward
Brown, Gordon G., Jr.	Gille, Robert H.
Burks, John E., III	Gill, Richard A.
Burnham, Paul	Gillen, Joseph F.
Cagle, Eugene M.	Gillette, Nelson M.
Cammatt, Haven P.	Giuffrida, Sebastian J.
Castner, Willis H., II	Graham, James T.
Cave, John R.	Griffin, Donald A.
Caves, Roy D.	Haase, John A.
Chelf, Harris W.	Haefel, Paul M., Jr.
Chomeau, John B.	Hamel, Donald R.
Christofferson, John R.	Harmon, Harold W.
Cicero, Joseph S.	Harris, Donald E., Jr.
Class, William H.	Harrison, Ralph H., Jr.
Clyde, Payson J.	Hartman, James L.
Collins, Leroy, Jr.	Hein, Richard A.
Comer, Morton B.	Hill, Richard T.
Connell, Laurence M.	Hills, John L.
Consiglio, Charles J.	Hinsvark, Don G.
Cook, Charles W., Jr.	Hocker, Walter B.
Cook, William J.	Hodge, George L.
Cooper, Joseph H.	Hoff, Jack A.
Creech, Billy S.	Holden, William H., Jr.
Curtis, Harold B.	Holtton, William A., Jr.
Cutter, Alan B.	Hong, Leslie K. Y.
Daly, Theodore M., Jr.	Hood, Warren W.
Damore, Patrick R.	House, Karl T.
Davis, Bruel A.	Ingram, Frank L.
Davis, Donald L.	Jackson, Earl L., Jr.
Dawson, Allan J.	Jacob, Charles
Debona, Donald J.	James, George A., Jr.
Decordova, Donald W.	Jobson, George S.
Dellinger, David W.	Johnston, James R.
Dirks, Richard A.	Jones, Charlie C.
Domville, Compton N., Jr.	Jones, Samuel R.
Douglas, Burnie W.	Jones, Wilbur D., Jr.
Dow, Charles N. D.	Jones, William P.
Downing, Roland G.	Jordan, Thomas M.
Dudley, Malcolm H.	Kaine, Leonard P.
Dufford, Donald E.	Karig, Richard D.

Kavanaugh, Michael W.
 Kelly, Theodore A.
 Kenkel, James E.
 Kern, Charles R.
 Kimbrough, Warren O.
 Kintzinger, Paul R.
 Kiper, William D.
 Knier, Leonard F.
 Korn, Donald L.
 Krause, Richard J.
 Kropf, Charlie W.
 Lacey, Trammel C., Jr.
 Lagrone, Tonquin G.
 Lain, Horton W.
 Laing, Bruce C.
 Landon, John R.
 Lavin, Lawrence M.
 Lawrence, Frank E., Jr.
 Laynor, William G., Jr.
 Lekovish, Robert E.
 Levandoski, Richard J.
 Lewis, Kenneth A.
 Lierman, Roy J.
 Lindstrom, John D.
 Little, Jerry W., Jr.
 Livingstone, John A.
 Lockeman, George F., Jr.
 Loucks, Daniel P.
 Lufkin, Fritz O., Jr.
 Lycan, Deane R.
 MacIntyre, Daniel G.
 Madison, William E.
 Manning, James H.
 Margolin, Robert S.
 Markel, Harry L., Jr.
 Marlar, Richard T.
 McDermitt, Carrol
 McDonough, Thomas W.
 McGill, Julian E.
 McGirr, Francis W., Jr.
 McNulty, James A.
 Meek, William J., Jr.
 Meister, Robert A.
 Metz, David J.
 Meyer, Carl S.
 Mickelberry, William C.
 Miles, William J.
 Miller, Gordon J.
 Moorman, William L., Jr.
 Moss, Stanley D.
 Murphy, Warren T., Jr.
 Myers, Richard A.
 Neaton, Ronald A.
 Newton, William P.
 Nixon, Edward C.
 Nolan, James C.
 Oefelein, John J.
 O'Neill, Samuel J., Jr.
 O'Rourke, John G.
 Pacalo, Nicholas
 Parker, Joseph W., Jr.
 Partnoy, Ronald A.
 Patterson, David C.
 Pausa, Clements E.
 Payne, James R.
 Peake, Douglas A.
 Pellettieri, James E., Jr.
 Philipson, Willard D.
 Pickel, Theodore C., Jr.
 Pino, Joseph A.

MEDICAL CORPS

Berry, Juanedd
 Birdwell, Thomas R.
 Bouterie, Ronald L.
 Cone, Theodore S.
 Donohugh, Donald L.

Pitmon, Wayne M.
 Plante, Normand E.
 Popoff, Alexander, Jr.
 Prater, James
 Price, James O.
 Pryce, Edward A.
 Ratz, Kenneth, Jr.
 Ready, George E.
 Reichle, Neal W.
 Reilly, Michael J.
 Rice, David P.
 Robertson, Stanley M.
 Rogstad, Allen R.
 Rouse, James W.
 Satterfield, Grey W., Jr.
 Sava, Samuel G.
 Sawicki, Michael J.
 Schick, Herbert A.
 Schmidt, Peter R.
 Schnurer, George T.
 Schoenberger, Edward S.
 Schroeder, Kent L.
 Schweiger, Melvin B.
 Shaffer, Robert F.
 Sheehan, William H., Jr.
 Simpson, Robert M., Jr.
 Smiley, Robert R., III
 Smith, James W.
 Smith, Phillip J.
 Smith, Ronald L.
 Smith, William O., Jr.
 Snelgrove, Edward R.
 Spotts, James L.
 Stahlman, William K.
 Summitt, Paul C.
 Sullivan, Peter E.
 Swingle, Robert L.
 Takenaka, Harold H.
 Taschner, Bruce
 Taylor, Otis W., II
 Thompson, Donald H.
 Thorne, Douglass E.
 Tripp, Robert G.
 Turley, Gerald K.
 Turner, Benjamin B., Jr.
 Turner, James R.
 Ulrich, Thomas R.
 Vance, Walter N., III
 Vowell, Joe L.
 Wachtler, William R.
 Wade, Warren L.
 Wall, Richard V.
 Wallenius, Kenneth T.
 Weeks, Robert D., Jr.
 Weiner, Ronald A.
 Westendorff, Clarence G., Jr.
 Whalen, William F.
 Wheeler, Carson M., Jr.
 Whiddon, Elmer C., Jr.
 Whitcomb, Lee E.
 White, Donald D.
 Wiese, Richard A.
 Will, Robert L.
 Williams, Edward N.
 Wilson, John S.
 Wilson, Richard W.
 Wilson, William R., Jr.
 Woodruff, David H.
 Zerwas, Richard L.
 Zurnieden, Ludwig A., Jr.
 Edmonds, Leland C., II
 Kellett, Cyril F., Jr.
 Roy, Donald E.
 Usselman, James A.
 Wood, Joseph H., Jr.

SUPPLY CORPS

Amos, Henry C., Jr. Hensley, Frank M.
 Bolliger, Ralph W. Hock, Winfield F., Jr.
 Carroll, Raymond L. Hollberg, Charles F., III
 Chancellor, Robert T. Moore, Ned D., Jr.
 Cole, Benjamin I., Purcell, Alfred S.
 Davis, Gerald B. Reeder, Paul A.
 Donovan, James L. Schneider, Andrew G., Jr.
 Fandey, Fayze Vanantwerp, Malin
 Flaush, Donald A. West, Jon W.
 Fink, Donald A. Whitacre, Philip A.
 Gill, Leo S.
 Heil, Louis L.

CHAPLAIN CORPS

Cheatham, Jeff P., Moris, Walter J.
 Jr. Vonalmen, Adelberta M.
 Conover, Eugene J.
 Hall, Marvin E.

CIVIL ENGINEER CORPS

Anibal, Fred R. Koski, David R.
 Ashton, William D., Malone, Richard D.
 III Muir, Roger W.
 Cantey, John M. Richardson, Frank A.
 Copple, Fred Smith, William M., Jr.
 Fair, Harlan W. Stevens, Stiles F.
 Gravalles, Albert J. Walker, Jack W.
 Jones, Jonah P., Jr. Westervelt, Sheldon

JUDGE ADVOCATE GENERAL'S CORPS

Bohannon, Marshall Parr, Jack R.
 T., Jr. Richmond, Lyle L., Jr.
 Dunbar, William L. Shiver, Edwin C.
 Olson, Ronald W. Wood, Hugh L.

DENTAL CORPS

Cornell, Thomas B. Mosier, Russell B., Jr.
 Hubbard, John R. Sullivan, Thomas M.

MEDICAL SERVICE CORPS

Besch, Emerson L.
 Harvey, Tommy L.

NURSE CORPS

Casey, Donnabelle A.
 Steffens, Gloria M.

The following-named lieutenant commanders in the Reserve of the U.S. Navy for temporary promotion to the grade of commander in the various staff corps, as indicated, pursuant to title 10, United States Code, section 5910, subject to qualification therefor as provided by law:

MEDICAL CORPS

Ackley, Harry A. Moran, Thomas E.
 Adams, Herbert D., Jr. Mulvey, Robert J.
 Bernstein, Sidney S. Nobrega, Fred E.
 Burk, Frederick M., Pasker, Roy N.
 Jr. Perry, Herbert S.
 Carmick, Edward S., Proctor, Jack D.
 Jr. Schroder, Paul E.
 Conte, Stephen J. Stewart, James A.
 Davis, Thomas S. Tate, James E.
 Dorman, John D. Tyson, James W.
 Fowler, James R. Wallin, Gene A.
 Haney, J. F. B. Watterson, Samuel G.
 Marcoux, "J" Paul Zaroulis, Charles G.

SUPPLY CORPS

Alwine, Paul R. Bingham, Frederic J.
 Bachler, Michael R. Booth, Henry A., Jr.
 Baker, Roland J. Bradley, Stephen P.
 Barr, Charles V. Brill, Henry F.
 Bentson, Gordon J. Brooks, James A.

Chapman, William D. Morse, Gary A.
 Connaughton, Kenneth Mulhern, John J.
 N. Pfund, Gale A.
 Desibour, Jay R. L. Piester, Fay M.
 Ellermeier, Joel D. Priest, William G., Jr.
 Elliott, Richard E. Richardson, Russell G.
 Floyd, Edward T. Riggs, Richard W.
 Gilman, Joseph Riordan, John J.
 Hansen, Oluf M., Jr. Sands, Arthur W., Jr.
 Hecker, Robert W. Schreiber, Richard E., Jr.
 Hoover, Marcus G. Soletti, Lawrence A.
 Humphreys, Keith C. Sutton, James E., Jr.
 Keister, Richard D. Titus, Robert G.
 Kilmurray, Robert B. VanNess, Robert L.
 Levinson, Henry G. Waite, Richard, IV
 Loreen, Jon M. Warrick, James C.
 Maslov, Victor M. Webster, Guy N.
 McNaughton, John B., Wells, Michael V.
 Jr. Wilde, Harold J.
 Mencarini, Richard Wright, William R.
 Miller, George H. Zabrycki, Edward A.
 Mitchell, Arthur J. Zanic, George F.
 Morgan, Ronald G.

CHAPLAIN CORPS

Awes, Vernon E. Kollar, Anton J.
 Cox, Douglas W. Lundeen, Lyman T.
 Crist, Richard A. McHale, John J.
 Cronin, Hugh J. McKinley, Phillip B.
 Davis, William C. Smith, Paul H.
 Huls, Richard Strickland, William J.

CIVIL ENGINEER CORPS

Aaron, Lawrence E. McInnes, Robert C.
 Bader, Robert H. Miller, Charles D.
 Bridges, Donald N. Mullarky, Jon I.
 Brown, Ronald L. Pickrell, John H.
 Day, John G. Reese, Joseph W.
 Gottlieb, Paul A. M. Russell, William H.
 Hanna, Bruce E. Skarupa, Thomas
 Hanson, Martin P. Walter, Richard J.
 Hinkle, Daniel B. Zoller, John B., III
 Kane, John V., III

JUDGE ADVOCATE GENERAL'S CORPS

Baldwin, Robert F., McAuliffe, William C., Jr.
 Jr. Merino, Frank Q.
 Bales, John A. Miller, Mallory L., Jr.
 DeRose, James M. Pfeiffer, Fred N.
 Elde, David B. Power, Joseph E., Jr.
 Evans, John A. Pritchard, Edward K., Jr.
 Feldman, Joel M. Rabideau, Clarence J.
 Flanagan, Hugh M. Roberts, Charles P.
 Galliani, William R. Ross, James E.
 Gehrke, Harold D. Schumacher, James J.
 Hammer, Elmer D., Jr. Sheehy, John J.
 Hetherington, John Siegel, Jay M.
 W. Simpson, Robert L.
 Jakabowski, Theodore P. Smallmon, John W.
 Jones, Taylor W. Storm, Charles R.
 Katz, Myron B. Tebbutt, Harry K.
 Koenig, Rodney C. Tisch, Alfred C.
 Krieger, Walter W., Jr. Tourtelotte, James H.
 Lanza, Carl F., Jr. Vogel, Thomas W.
 Lenehan, George T.
 Markel, Sheldon M.

DENTAL CORPS

Barnes, Edward D. Burns, Max H.
 Bennett, Steven L. Campbell, Bowen, Jr.
 Bojar, James A. Cavanaugh, John W., II
 Boltz, Roger H.
 Brown, William D. Detrick, Mark

Ennis, Richard J. Newman, Arthur L.
 Eure, Darden J., Jr. Pollard, Donald K.
 Harnett, Jeffrey H. Spencer, Duane E.
 Josselyn, Horace W. Vaillant, Dennis P.
 King, Gordon W. Vick, John B.
 Kumamoto, Steven Y. Walker, David F.
 Ladd, Paul V. B. Ward, George H.
 McCarthy, Terrence F. Widican, Raymond
 Murphy, Richard T. Williams, Alvin R.

MEDICAL SERVICE CORPS

Cothran, Walter W. Sagan, William
 Maddox, Michael L. Sager, Kenneth B.
 Pincus, Irwin D. Thorpe, Bert D.

NURSE CORPS

Dubiel, Marlene J. Piasta, Mary I.
 Little, Sonya K. Ward, Judith A.
 Moffett, Sulinda

Comdr. Dale V. Graves, U.S. Naval Reserve, for permanent promotion to the grade of captain, in the line, pursuant to title 10, United States Code, section 5911, subject to qualification therefor as provided by law.

Comdr. Joan R. Wheelwright, Medical Corps, U.S. Naval Reserve, for permanent promotion to the grade of captain in the Medical Corps, pursuant to title 10, United States Code, section 5911, subject to qualification therefor as provided by law.

Lt. Comdr. Gall E. Ford and Joan E. McCauley, U.S. Naval Reserve, for permanent promotion to the grade of commander, in the line, pursuant to title 10, United States Code, section 5911, subject to qualification therefor as provided by law.

Executive nominations received by the Senate on April 15, 1977, under the authority of the order of April 6, 1977:

DEPARTMENT OF STATE

Ronald I. Spiers, of Vermont, a Foreign Service officer of the class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

DEPARTMENT OF COMMERCE

Fabian Chavez, Jr., of New Mexico, to be Assistant Secretary of Commerce for Tourism, vice Creighton Holden, resigned.

Manuel D. Plotkin, of Illinois, to be Director of the Census, vice Vincent P. Barabba, resigned.

FEDERAL MEDIATION AND CONCILIATION SERVICE

Wayne L. Horvitz, of the District of Columbia, to be Federal Mediation and Conciliation Director, vice James F. Searce, resigned.

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be Lieutenant general

Maj. Gen. Abbott C. Greenleaf, ~~xxx-xx-xxxx~~ ~~xxx~~ FR (major general, Regular Air Force), U.S. Air Force.

EXTENSIONS OF REMARKS

LIBERIA OWNS TWO SHIPS, REGISTERS 2,546

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. ANDERSON of California. Mr. Speaker, President Carter's recent announcement of new tanker safety regu-

lations was a great step forward in this increasingly important field. However, one major obstacle in the search for safer international tanker safety remains—the use of foreign “flags of convenience” to evade stiffer U.S. shipping standards.

Liberia now claims the largest merchant fleet in the world, despite the fact that the nation actually owns only two ships. Last year, over half of the tankers lost—11 out of 19—were Liberian registered, despite the fact that the Liberian

flag accounts for 20 percent of the world's tanker fleet.

The following article which appeared in the Los Angeles Times of Wednesday, April 12, gives an excellent account of the controversy now surrounding the practice of registering merchant vessels under “flags of convenience.”

LIBERIA OWNS 2 SHIPS, REGISTERS 2,546

(By David Lamb)

MONROVIA, LIBERIA.—The Liberian merchant fleet, the largest in the world, is a

ghost fleet to the Liberians—2,546 ships that ply the seas without ever coming home.

These are the ships that fly the Liberian flag of convenience. Their owners are elsewhere, but they are registered here.

Liberian registration offers a number of advantages. Most importantly, the owners of ships registered here can hire low-paid, non-union crews and they can forgo some of the strict safety regulations that are imposed by nations such as the United States and Great Britain.

For Liberia, an impoverished West African republic founded by emancipated American slaves, the enterprise is an important source of foreign exchange—more than \$16 million annually. For the owners, about one-third of whom are Americans, the savings runs into hundreds of millions of dollars.

The flag-of-convenience concept goes back to the days just after World War II. Large U.S. business interests, primarily oil companies, were looking for cheaper ways of transporting their products. With State Department concurrence, poor nations like Panama and Liberia were permitted to fly their flags over U.S.-owned ships.

Today Liberia has only two ships of its own, but more ships fly under the Liberian flag than that of any other nation: of the world's 23,000 merchant freighters, more than 10% fly the red, white and blue Liberian flag; of the 5,300 tankers, nearly 20% are under Liberia's colors.

Some maritime experts contend that flag-of-convenience nations frequently permit dangerously decrepit and ill-manned vessels to remain in operation. They point out that of the record 19 tankers lost last year, 11 were registered in Liberia.

Liberian-flag ships were also involved last year in a major oil spill in the Delaware River and a breakup off Hawaii. And it was a Liberian-flag ship, the *Sansinena*, that exploded in Los Angeles Harbor, killing eight people and a Liberian-flag ship that spilled 7.5 million gallons of oil off Nantucket Island last December.

Since 1971 Liberia has had its own marine inspection division, with control offices in New York, London, Rotterdam and the Far East. Government officials here say their ships are involved in more mishaps only because there are more of them, and that maritime studies have shown that Liberia's safety record is at least as good as the safety records of most small countries that are not part of the flag-of-convenience agreement.

At a Washington press briefing last month outlining new proposals to prevent oil spills from tankers using U.S. ports, White House Press Secretary Jody Powell said there is "no maritime nation, including our own, that does not share responsibility" for the spills.

Maritime unions, however, say that because of the wide use of convenience-flag ships, the shipping industry is no longer subject to adequate safety regulations.

EMPLOYEES UNDER FEDERAL CONTRACTS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. DENT. Mr. Speaker, in 1974, when Congress was considering the Employee Retirement Income Security Act, concern was expressed for workers who never became vested in their pensions because their immediate employer, under contract to the Federal Government, would change as each short-term contract expired. Thus, despite lengthy service in

the same industry, pension credit with a single employer would never be sufficient to achieve a vested pension.

To better understand this problem, Congress mandated in section 3032 that the Secretary of Labor conduct a study of this problem, and report the results to the Congress. The Labor Department has informed me that this report will be available in the next few months. I am hopeful that this report will enable the Congress to act effectively with regard to pension portability and workers employed by Government contractors.

Concern over this issue was recently expressed by the Aerospace Conference of the United Auto Workers, many of whose members are employed by Government contractors. I would like to draw my colleagues' attention to the Aerospace Conference's resolution of February 11, 1977 on this matter. The resolution follows immediately:

PORTABILITY IN PENSIONS

Thousands of American workers have spent most or all of their working life in the aerospace industry.

Many of these workers lost their jobs when their employer's contract ran out, was cancelled or lost to another company.

Even though they gave their skills and knowledge to different companies they are producing essentially the same end-product indirectly working through their employer for the Department of Defense of the United States of America.

While commercial aircraft are not so directly related to government procurement, the structure of the market leads to a greater amount of job movement than applies to most other industries.

By working in the same industry but for different employers these workers could not achieve the tenure required under most Pension Plans to earn a pension for any or all of their employing companies even though their service had it been with one employer would have given them a substantial retirement benefit.

The delegates and officers of the 18th UAW Aerospace Conference held in New Orleans, Louisiana, February 10-12, 1977 propose to President Carter and the Congress of the United States of America that there be established a Presidential Commission to investigate the feasibility of providing an industrywide pension system for the aerospace workers regardless with how many companies these workers were employed and whether their employment was continuous or interrupted with one or more employers in the industry; and to take positive action to implement such industrywide pension program assuring all who are affected—professionals, scientists, machinists, office workers, production workers, engineers, welders, technicians, etc., a retirement benefit for the years of their labor.

BOB WILLIAMS, PROMINENT JOURNALIST

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. STOKES. Mr. Speaker, I stand before you on this occasion to pay tribute to a gentleman who has devoted his life and energies to the social, political, and moral aspects of journalism in the city of Cleveland.

Bob Williams is a man with boundless energy and a genuine concern for the well-being of others. The recipient of numerous awards for his outstanding achievements in photography, feature stories, and news stories, Mr. Williams is considered one of the best by his colleagues in the National Newspaper Publishers Association.

Similar to many of the leaders in our community, Mr. Williams is very active in his church, Mount Zion Congregational, where he serves as president of the men's fellowship. He was active for 20 years at St. John's AME Church before joining Mount Zion. He also is a member of the journalism fraternity, Sigma Delta Chi, the Newspaper Guild, and the NAACP.

Born in Memphis, Mr. Williams attended public school in St. Louis. He later moved to Cleveland where he now lives with his daughter, Mrs. Carol Brown, her husband, Sam, and two grandchildren.

Bob Williams joined the Call & Post in 1942 as a volunteer. A year later he resigned from his position with the post office to become a full-time writer with the Call & Post.

Mr. Williams' time away from the Call & Post was devoted to his private public relations and photography firm. During that time, he served as managing editor of the former Cleveland Herald and publisher/editor of the Toast magazine. Nine years of his career as a reporter were spent with the Cleveland Press.

During his career as a journalist, Bob covered many of the cases I tried as a trial lawyer. His coverage was always fair and invariably covered the human interest side of the trial. His reporting of criminal cases made young lawyers more aware that on their abilities rested the future of many young blacks. In 1975, he worked as press aide for my Cleveland office. Bob brought to my office the same tenacity for equality and fairness that he brought to the field of journalism. He always did an excellent job on whatever he set out to do.

During his 36 years as a reporter, Bob Williams has gone beyond the call of duty, soliciting storeowners for donations of furniture and shoes for those in need. Bob spoke out against the social injustice of inequality. When he heard people were denied admittance into a public place because of their race, he went there and demanded that they be allowed to enter. As Mr. Williams once witnessed the tragedy of an execution at the State penitentiary, he commented, "No good was ever accomplished." His humane character is evident in his efforts to help many aspiring young journalists to get a foothold in the profession.

Williams says he will always have a special love for the Call & Post because of the deep personal friendships he acquired while there. "It was just like a family," he often comments.

On Friday, April 29, at 7:30 p.m. in Cleveland, the family, many friends and admirers of Bob Williams will honor his extraordinary contributions to the field of journalism and the community.

Mr. Speaker, Mr. Williams' presence in the annals of journalism has been a

significant asset to the communications media. For this reason, I ask you and all of my colleagues to join with me in recognition of his many years of invaluable service to the city of Cleveland.

AN OPEN LETTER TO AMERICA

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. WRIGHT. Mr. Speaker, the House of Representatives is being visited this week by five distinguished students from the Oliver Wendell Holmes Middle School-Academy in Dallas, Tex. These students have prepared an open letter to America expressing appreciation to this great institution. I insert the text of the letter in the RECORD at this point:

AN OPEN LETTER TO AMERICA: IT IS TIME TO SAY THANK YOU, MR. SPEAKER

Mr. Speaker, Honorable members of Congress, Ladies and Gentleman:

Permit us young ladies to enter not only the hallowed edifices and landmarks today but also the inner recesses of your wholesome hearts and gifted minds.

In all candor, Mr. Speaker, may we say that we are fed up—we have had our fill of negation and adverse clamor about the wrongs in the government of the United States of America. For too long have the misguided and ill-mannered bellowed their resounding claims toward the foundational pillars, both persons and principles, of American Democracy!

As a group, Mr. Speaker, not as grass roots but as human roots, we stand before you with a revitalized philosophy and outlook.

As a result of our recent experiences, we believe firmly that the time has arrived when we, Americans all, should say, "Thank you, Mr. Speaker! Thank you, in deed, truth, and love!"

We have studied the books, periodicals, and journals; but now, without being naive or excessively idealistic, we speak from our beautiful experiences. We formerly dreamed; now we are realistic!

Some things most dear have been discovered. We have found that our beloved government is composed of human beings; they are kind, helpful, and loving.

Leaders have cared about us, intermediate officials have served us, and other personnel have advised and counseled us.

We have deposited in our hearts lovely memories associated with names and titles. What a pleasure now it is to speak and hear sounds, as, Representative, Congressman, Senator, Speaker, Majority Leader, President, Bentsen, Collins, Milford, Mattox, Burger, Carter, and many others. These words are living symbols of dynamics and dynamic human beings!

Therefore, Mr. Speaker, we love America, all of America, more than ever. We want an ever increasing faith and loyalty to the United States of America. And we desire others to taste what we feel—and we desire all of this for them now!

We speak only for ourselves, but we crave the devotion to country of the myriads of other young and old citizens of these fifty states.

Maybe our School Premise can express what is really our motivation:

Love of God
Love of Self
Love of Country
Love of Humanity, and
Willingness to Serve.

Thus, we turn to you, symbolically, Mr. Speaker, to say thank you—thank you with all of our love, friendship, and concern, for all that you and others, in this magnificent chamber of legislation, and beyond, stand for and mean. You give us hope, confidence, and expectation!

May God bless all of you—and yours—who so diligently work and serve here that others may enjoy incomparable freedom, peace, and happiness in their lives.

Thank you, Mr. Speaker!

By: Angella Haggerty, Tammy Prince, Sylvia Lucio, Stephanie Jones, and Tammera White, Theodore Lee Social Dynamics Club, Oliver Wendell Holmes Middle School-Academy, Dallas, Texas.

VOICE OF DEMOCRACY WINNER

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. HARRIS. Mr. Speaker, each year the Veterans of Foreign Wars Voice of Democracy Scholarship program conducts a contest throughout the United States on the meaning of America. I am pleased to announce the Virginia winner as Desiree Ann Wolfe, daughter of Mr. and Mrs. John Wolfe, of Manassas.

Ms. Wolfe is a senior at Osbourn Park Senior High School, a National Honor Society member, chairman, Student Needs Committee, SCA Executive Board member, and delegate to the National Leadership Training Seminar. She is also the recipient of the Daughters of the American Revolution Citizenship Award. I take great pleasure inserting into the RECORD Desiree's well-written and thought-provoking essay:

1976-77 VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM, VIRGINIA WINNER, DESIREE ANN WOLFE

"We the people." These three small words, written over two hundred years ago, can best express what America means to me.

Since our country was first founded, people have been its lifeline. As we think back on our history, certain names like George Washington and Thomas Jefferson always stand out among the others. Yet these aren't the only people who really made America. It was the average farmer, blacksmith or merchant who fought for, and died for the rights that we Americans enjoy today. But little did they realize the impact they would have on future generations.

Imagine you are a revolutionary farmer—barely making enough money to support your family. Your day begins before sunrise and ends late at night. "Democracy?" you say. "Freedom?" you say. "I have no need for those; I'm much too busy working here on my farm to worry about other people's business. Fight a revolution? For what?"

Because they cared. They cared about people, all people, and the rights they're entitled to. The God given, inalienable rights that every man, woman and child has today. Our forefathers gave us this, and we thank them. But the revolution didn't end there. No, the spirit that our ancestors had has been passed down through each generation. America proves that it still cares again and again with each new day. Whenever there is an earthquake or a flood, the American people are there. Whenever there is disease, starvation or poverty, America's people reach out and try to help their fellow man.

Imagine you're a farmer today. You make

a comfortable middle class living and have a good life. "Why vote?" you say. "I'm only one person and nothing will ever change." But it can, and it will. If you remember the Americans of long ago and how much they cared. While we can't write a Constitution or fight a revolution for our country, we can show what this country means to us every day—by talking, helping and caring about people. When a friend needs you, be there. When a neighbor needs help, offer it.

People—everywhere you go in America you meet people, all with different backgrounds, interests and jobs. Some are young, some are old, many are good, and a few are bad. The young and the old; the good and the bad; put them all together and you have America!

All fifty states, millions of people, all races, all creeds, all colors—all with the basic goal—freedom. All America.

What does America mean to me? We the people are America.

WELCOME BACK, ESTHER

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. OTTINGER. Mr. Speaker, I would like to take this opportunity to welcome Esther Peterson back into Government, in her new role as Special Assistant for Consumer Affairs to the President. When I served in the House in the 1960's, Esther Peterson was one of the most helpful and thoughtful individuals in Government, and it is a delight to me to see her returning to the fold.

Last night's Washington Star carried a full-page advertisement by the employer Esther is now leaving, Giant Foods. While I am not one often to compliment private corporations, I must take this opportunity to commend Giant—first, for having had the good sense to hire Esther to begin with; second, for having the public spirit to let her come back to work for all Americans; and third, for the very nice send-off they provided in their advertisement. I would like to commend this ad to the attention of my colleagues.

THANK YOU ESTHER PETERSON FOR ALL YOU'VE HELPED US ACCOMPLISH

Esther, we congratulate you on your appointment as President Carter's Special Assistant for Consumer Affairs. We wish you every success.

We have learned much from you these past seven years. You have ingrained in us deeply our obligation to listen to the consumer. You have shown us how businesses and consumers can work together for a voluntary resolution of our common problems in a true spirit of cooperation. You pioneered many consumer programs—some have served as a model for both the industry and government.

Bill of Rights
Open Dating
Nutrition Labeling
Over-the-Counter Drug & Cosmetic Labeling
Percentage of Ingredient Labeling
Quality Assurance Laboratory
Unit Pricing
Generic Drug Program
Consumer Advisory Committees
Consumer Information
Product Safety

We pledge to you that the programs you

worked so hard to develop will continue and grow. You leave a trained staff of consumer specialists to carry on.

Our consumer commitment is now firmly established. Your philosophy has spread throughout our company—from our offices to our warehouses to our stores. It has become our way of doing business.

Esther, we'll still be listening to what you are saying on behalf of consumers—just as closely as we did when you were here. President Carter is getting a great lady to do the job—the best. And why not the best!

GIANT,
The quality food people.

THE EFFECTIVE FEDERAL INCOME TAX RATE OF AMERICAN UTILITIES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. VANIK. Mr. Speaker, on October 1, I inserted in the CONGRESSIONAL RECORD (35288-35292) the fifth of my annual corporate tax studies. This latest study, for tax year 1975, showed that 148 major U.S. companies paid an effective Federal income tax rate of 21.3 percent, even less than the previous year's comparable rate of 22.6 percent. Although the statutory corporate tax rate is set at 48 percent, companies are able to lower their tax rates through a menagerie of tax incentives and stimulants that the Congress has enacted over the years.

While these tax-reducing tax provisions are often well intentioned on their introduction, they too frequently outlive their purposes and end up as largely unproductive and extremely expensive drains on the Federal Treasury.

Tax figures for the utilities sector of the corporate tax study are particularly interesting because utility companies consistently have been able to reduce their Federal income taxes more than other economic sectors.

The 10 utilities in the study were able to reduce their effective Federal income tax rates to an average of less than 5 percent. As way of comparison, a family of four paying 5 percent in Federal income taxes in 1975 would have had an adjusted gross income of about \$8,450. The 10 utilities in my study, on the other hand, had a combined income before

Federal incomes taxes, of approximately \$7,395,738,000.

These extraordinarily low tax rates occurred at the same time that consumers' utility rates—both for energy and communications utilities, rose higher and higher. Electricity costs for the average family rose 7.4 percent in 1975 according to a survey by the Federal Power Commission last fall.

Although utilities complained mightily of a terrible capital shortage in 1974 and 1975, financial publications report that utilities are currently in good condition. A Forbes magazine annual economic report paints a good picture of utilities' finances: short term debt "is now negligible," return on equity is up, cash flows are up, and long unresolved rate increase requests are being settled.

Utilities apparently are able to reduce their taxes enormously through several basic provisions of the tax code. The investment tax credit—ITC—appears to be the most valuable of these provisions.

Because there was initial disagreement over whether utilities should get any investment credit at all as sanctioned monopolies, the Congress compromised the 7 percent ITC proposed for other industry and allowed utilities only 3 percent. The Tax Reduction Act of 1975, however, increased the ITC to 10 percent for all business sectors.

This 250 percent increase for utility investment tax credits allowed utilities, in effect, to have the Federal Treasury pay for a full 10 percent of property acquired after January 21, 1975. It allows companies who already have been able to reduce taxes to minuscule levels to reduce them further or to eliminate Federal income tax payments entirely in some cases. The American Electric Power Co., for instance, composed of several large electric utilities in the South and East, paid 1975 Federal income taxes of only approximately \$195,000 on an approximate adjusted income of \$254,546,000—an effective Federal income tax rate of less than 0.08 percent.

Because the ITC is a credit, and not simply a business deduction, it reduces directly the Federal income taxes a company must pay. Although some limitations exist for the ITC, utilities in particular—highly capital intensive business operations, have been able to use them to drastically reduce their Federal income taxes.

While credits reduce actual Federal

income taxes, utilities are able to use another tax provision to reduce their tax liabilities—the amount of their income that is subject to Federal income taxes. Accelerated depreciation allows companies to deduct the depreciated—and theoretically unusable—value of their property and machinery from their income, thus reducing their liability.

Because utilities have large amounts of money invested in plant and equipment, the accelerated depreciation provisions in the Tax Code are applicable and can help companies cut taxes. "Straight-line depreciation" allows a company to depreciate—and deduct from income—the full cost of a piece of equipment in equal increments over the life of the unit. Accelerated depreciation allows this same equipment value to be deducted but in less time, making early tax year deductions larger and thus more valuable to the company. While utilities argue that accelerated depreciation is simply that: an allowable faster depreciation for tax purposes; that the companies will in the end depreciate no more than regular straight-line depreciation, the fact is that when capital investment continues at an equal or higher rate, accelerated depreciation allows companies an indefinite tax deferral: an interest-free loan paid for by the public and its Federal Treasury.

In light of these facts; extraordinarily low Federal income taxes, increased prices to public consumers, and a generally favorable financial picture for utility companies, I think it is very clear that the Nation's utilities are not in need of any additional special tax favors. I hope that any sector-specific tax incentives contemplated by the administration will not serve to remove even more utility companies from the rolls of those who pay Federal income taxes. As it is now, some experts estimate that as many as one quarter of investor-owned utilities do not pay any Federal income taxes at all.

I have included the effective Federal income tax rate information of the 10 utilities from my fifth annual corporate tax study. These figures are not unusual—utilities have consistently been able to reduce their Federal income taxes to ridiculous levels. These effective rates show that the Congress must think twice before bestowing additional tax favors on utilities.

The statistics follow:

APPROXIMATE EFFECTIVE TAX RATES PAID BY SELECTED AMERICAN UTILITY COMPANIES

Corporations	Approximate adjusted net income before Federal and foreign income tax (thousands)	Approximate current Federal and foreign income tax (thousands)	Approximate effective worldwide tax rate (percent)	Approximate adjusted net income before Federal income tax (thousands)	Approximate current Federal income tax (thousands)	Approximate U.S. effective tax rate on worldwide income (percent)
El Paso Natural Gas Co.	148,751	45,615	30.1	148,751	45,615	30.1
Texas Eastern Transmission	187,524	37,781	20.1	183,771	37,775	20.6
Pennzoil Co.	186,293	35,702	19.2	186,293	35,702	19.2
American Telephone & Telegraph Co.	5,291,529	1129,102	2.4	5,291,520	129,102	2.4
Consolidated Edison Co. of New York, Inc.	308,294	3,050	1.0	308,294	3,050	1.0
Pacific Gas & Electric Co.	241,777	7,108	2.9	241,777	7,108	2.9
Commonwealth Edison Co.	338,998	34,386	10.1	338,998	34,386	10.1
American Electric Power Co.	254,546	195	(2)	254,546	195	(2)
Southern California Edison Co.	231,514	38,518	16.6	231,514	38,518	16.6
Columbia Gas System, Inc.	210,265	27,159	12.9	210,265	27,159	12.9
Total	7,399,491	258,616	4.84	7,395,738	358,610	4.84

¹ Because the wholly owned subsidiary Western Electric Co., Inc., is accounted for under the equity method, the income and current Federal income tax for Western Electric Co., Inc., is not

included here even though a consolidated tax return is filed.
² Less than 1 percent approximate effective tax rate.

SACCHARIN BAN

HON. THOMAS B. EVANS, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. EVANS of Delaware. Mr. Speaker, as I have said before on this floor, no Government regulatory action in recent memory has been more nonsensical than the recently announced FDA ban on saccharin.

I strongly hope that the House Health Subcommittee will report legislation to the full House which will at least postpone the ban and hopefully will amend the Delaney Act which brought about this ridiculous action in the first place.

Recently the Delaware House of Representatives passed a resolution urging the Congress to postpone the proposed ban on the use of saccharin in sweeteners until such time as convincing tests over an adequate time period have been completed. I include the resolution which was sponsored by Representative Thomas A. Temple, Sr., in the RECORD at this point:

DELAWARE HOUSE RESOLUTION

Resolution requesting the Federal Food and Drug Administration to reconsider, until convincing tests are completed, its ban on the use of saccharin as a sweetener

Whereas, the Food and Drug Administration has proposed a ban on the use of saccharin as a sweetener; and

Whereas, scores of thousands of Delaware citizens use sweeteners which include saccharin to help in weight-control programs which have been medically approved; and

Whereas, the experiments from which the FDA drew the information leading to the proposed ban were performed in Canada on rats; and

Whereas, scientists have now told us that for a human being to suffer the reactions observed in the Canadian rats it would be necessary for the human being to drink 1,250 12-ounce diet beverages each day for an entire lifetime; and

Whereas, this extrapolation demonstrates the absurdity of the FDA's proposed ban; and

Whereas, the ban on the use of saccharin in sweeteners will force many persons, including the more than 65,000 citizens of Delaware who are over 65 years of age, to turn to other types of sweeteners which may tend to be fattening; and

Whereas, the citizens of Delaware have demonstrated by their reaction to the proposed ban that they believe it to be ridiculous.

Now therefore:

Be it resolved by the House of Representatives of the 129th General Assembly that the members of the Delaware Congressional Delegation are requested to intervene in behalf of the citizens of Delaware by asking the FDA to postpone the proposed ban on the use of saccharin in sweeteners until such time as convincing tests, made over an adequate period of time and using non-massive amounts of saccharin, have been completed and reported.

Be it further resolved that copies of this resolution be sent immediately upon passage to each member of the Delaware Congressional Delegation with the request that a reply be made as to the action followed by the member.

GIOVANNI DA VERRAZZANO

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. RODINO. Mr. Speaker, each year millions of people cross the Verrazzano Narrows Bridge, the longest suspension bridge in the world which joins Staten Island with Brooklyn. Last year during the glorious parade of Tall Ships in honor of our Bicentennial celebration, this same span served as the focal point of that magnificent procession.

Yet, Mr. Speaker, it is questionable if many of that vast throng recognized the significance of the exploits of the courageous explorer for which this superb structure is justly named.

Giovanni da Verrazzano was born near Florence, Italy, in about 1485. A student of classical literature, he traveled widely throughout the Near East as a young man and developed considerable geographic and nautical skills.

The recent discovery by Christopher Columbus of a mysterious land to the Far West aroused his adventurous spirit and, on at least one occasion prior to his history-making expedition, he visited the New World.

In January of 1524 he set sail on a peaceful exploratory journey to North America in a sturdy three-masted ship—the *Dauphine*. Following a turbulent 50-day voyage, Verrazzano and his men first sighted land on March 7 near what today is Wilmington, Del.

Numerous discoveries were made by the crew as they proceeded northward along the coast, but none as important as their exploration of New York Bay. On April 17, 1524, the company sailed into the Lower Bay where they received a warm and hospitable welcome from the native Indian tribes.

After charting the bay for future navigational reference, Verrazzano explored further along the New England coast and then returned to Europe to announce his discoveries.

Unfortunately, the natives encountered on an expedition to South America in 1528 proved less peaceful than their North American counterparts and, reportedly, Verrazzano was murdered by fierce tribesmen.

Mr. Speaker, for many centuries the accomplishments of Giovanni da Verrazzano were obscured by missing documents which were not recovered until 1900. It is therefore particularly appropriate that today, the anniversary of his outstanding discovery, we accord him the honor and recognition he so richly deserves.

Mr. Speaker, I like to believe that the courageous spirit of Verrazzano accompanied the Tall Ships in their reenactment of his historic feat of over 400 years ago, as they sailed under the bridge that bears his name.

WARNKE TO DISBAND UNIT THAT VERIFIES ARMS PACT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. McDONALD. Mr. Speaker, as if to confirm the worst fears of those of us who opposed the confirmation of Mr. Paul Warnke as SALT negotiator and Director of the Arms Control and Disarmament Agency, he has now shown his true colors by a recent action. The ACDA had developed, over the years a bureau called Verification and Analysis designed to check on Soviet compliance with SALT I. This bureau is being disbanded by Mr. Warnke. Thus, we appear to be so anxious to concede everything to the Soviet Union, that we are now saying we will sign a treaty and will not even check to see if you are complying with it. The story as it appeared in the Richmond Times-Dispatch of April 16, 1977 follows:

WARNKE TO DISBAND UNIT THAT VERIFIES ARMS PACTS

WASHINGTON.—Disarmament negotiator Paul C. Warnke is disbanding the government unit that developed ways to check on the Russians to learn if they were violating arms limits, a spokesman confirmed Friday.

The Verification and Analysis Bureau, a part of the Arms Control and Disarmament Agency, is being abolished effective May 1 by Warnke, spokesman Pedro San Juan said.

The bureau had been strengthened under the Ford administration to check on Soviet compliance with the strategic arms limitation agreement known as SALT I.

But it gained a reputation of raising difficulties in the arms negotiation process which delayed the conclusion of a new, SALT 2 agreement by former Secretary of State Henry A. Kissinger in 1976.

The reorganization is likely to be criticized by conservatives in Congress. Two former agency officials said it was a mistake.

Warnke serves both as President Carter's top disarmament negotiator and as head of the arms control agency. Under the reorganization he has ordered, highly qualified experts in the verification unit will be dispersed.

Some will be reassigned to work with officials handling specific areas of arms control negotiations, such as troop reductions in Central Europe and a comprehensive ban on nuclear tests, a spokesman said.

The verification experts develop sophisticated technological means, such as new types of aerial surveillance, to make sure the Russians are complying with arms agreements. The actual monitoring is carried out by the military.

The spokesman said the organizational change should make the experts "more effective."

LESS EMPHASIS

But Amrom Katz, former head of the verification bureau, expressed concern that it could lead to less emphasis on verification in arms pacts.

"The guys trying to negotiate a treaty just don't want to hear the bad news from the guys who know what is possible in verifying or policing a treaty," he said in a telephone interview from his Los Angeles home.

Katz recalled how the British sought to have verification experts work closely with

negotiators in concluding a naval armaments pact with Germany before World War II. When the Nazis began cheating, he said, there was a tendency for British officials to cover up the evidence to protect the integrity of the treaty.

"This is a totally wrong signal to send the Russians at this time," said former Deputy Director John Lehman, who works in Washington.

"It is disastrous to signal the Russians we are willing to downplay verification because it is embarrassing."

IN HONOR OF JESS NEVAREZ

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. CHARLES H. WILSON of California. Mr. Speaker, this year, April 23, is going to be a very special day in my 31st Congressional District, Gardena, Calif., has set this date aside to posthumously honor one of its finest citizens—Jess Nevarez.

The city has planned several activities including a memorial dance for Jess Nevarez Day to remember the man who contributed so much to his community.

For over 40 years, Jess Nevarez served the people of Gardena and was admired and respected by all who had the good fortune to know him.

He was not a wealthy man but he was willing to give whatever he had to those who were in greater need. People who were penniless and had no home or food could always turn to Jess and find a helping hand. He was a special and unique individual who asked for nothing in return for his help. People were important to him and he possessed a natural magnetism that drew him to the people who needed him most.

My only regret is that Jess could not have been with us today. I am sure that he would have been awed by all this attention but very grateful to those who have recognized the many unselfish deeds he accomplished in his life. His desire for personal credit or a pat on the back was almost nonexistent. I am proud the city of Gardena has chosen to honor this most deserving individual.

Among his remarkable accomplishments was providing funds to bring well water to an Indian reservation. As a member of the American Legion Post 187, he personally conducted a fund-raising drive to get the money for the desperately needed well. He accomplished his goal and the reservation was able to meet their daily water needs.

One of his personal aims was to unite the Mexican-Americans in Gardena. Jess' efforts led to the establishment of a weekly Sunday Mexican Mass in the city which brought many of his fellow worshippers back to their church.

The Gardena sister city, Hustabampo, Mexico, was also one of his great interests. When disaster struck the sister city, Jess personally helped deliver supplies in

spite of the fact that his health was failing and his business was left unattended. He sacrificed his own money to accomplish this mission, only to return home and find his business had been destroyed by fire. Regardless of these losses, and his declining health, he went on to press for relief of the families in Mexico. This enormous exertion may have cost him his life because shortly after, he suffered a heart attack and did not recover.

Jess was a great man. In the words of his fellow townspeople:

His devotion and love and concern for the well being of his fellow man, no matter where he lived, will never be forgotten.

It is altogether fitting that the business of our country pause to salute Jess Nevarez. It is because there are citizens like him in the United States that our country is so great. It is my humble honor to pay tribute to Jess Nevarez of Gardena.

TRIBUTE TO RAYMOND E. RIDDICK

HON. PAUL E. TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. TSONGAS. Mr. Speaker, Raymond E. Riddick of Lowell, Mass., was honored last night. A dinner to benefit a scholarship fund in memory of the former Lowell High School football coach and all pro National Football League player, Ray Riddick, was held.

Ray Riddick was well known for his many accomplishments on the athletic field and well respected for his dedication to the young people of Lowell. I would like to tell you why.

Ray Riddick was born in October of 1917. Those who attended Lowell High School with Ray knew of his outstanding athletic ability. Before he graduated in 1935, he had played 4 years of varsity football, had been named captain of the team, all scholastic end, and also participated in the baseball and track programs. An outstanding offensive and defensive end at Fordham University, Ray was named to the All East team. He played in the 1940 college all star game in which his team defeated the NFL champion New York Giants at the Polo Grounds. In 1940, Ray was drafted by the Green Bay Packers. He started, as a rookie, at right end, opposite the great Don Hudson. He played both offense and defense and was named all pro.

In 1942, Ray Riddick entered the Navy, his football career was put aside as World War II broke out. After 3 years in the Navy, he became varsity end coach at Dartmouth College.

In 1947, Ray began his association with the Lowell High School football team as coach. It was an association which would last for some 29 years, until his death. In those 29 seasons he won 180 games including 91 shutouts. His team outscored opponents by two to one. He coached 10 undefeated teams and won

6 eastern Massachusetts State championships. Four of his teams went to bowl games. He also compiled an amazing 36-game unbeaten record.

Ray Riddick received the New England Football Officials Memorial Award in 1967, a symbol of their respect for a coach. He was inducted into the Massachusetts Coaches Hall of Fame this year. Yet perhaps the most important tribute was paid to Ray Riddick last night. A memorial scholarship fund was established. It is a fund which will carry on Ray Riddick's work with the young people of Lowell. It is a fund which reflects his dedication to the city of Lowell. It is a fund which exemplifies his character, sportsmanship, leadership, and accomplishments. I cannot think of a better tribute to Raymond E. Riddick than a memorial scholarship fund.

Ray Riddick and his family deserve the gratitude and admiration of the country at large. I ask the Members of the U.S. House of Representatives to join me in recognizing Raymond E. Riddick and his contribution to his community and fellow human beings.

U.S. TUNA INDUSTRY SHUT DOWN

HON. CLAIR W. BURGNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. BURGNER. Mr. Speaker, most of us have just returned from what was supposed to be a refreshing week and a half with our constituents, and while much of my time spent in the district was just that, one aspect was anything but refreshing. Although we in San Diego enjoy the beauty of a gorgeous harbor and are rather used to the comings and goings of many boats, including much of the Pacific Fleet, San Diego Harbor was a bit crowded over the Easter district "work period," as there were approximately 130 100-foot-plus, multimillion dollar tuna boats lying at berth, out of commission, while their foreign counterparts were loading up with millions of pounds of tuna—in the prime of the fishing season.

Meanwhile, engaged in shuttle diplomacy between San Diego and Washington were representatives of the tuna industry, hopscotching the country in an attempt to persuade not the Congress, not officials of the executive branch, but self-anointed environmentalists to withdraw their Federal court suit which has kept the entire American tuna fleet at its moorings better than could have any hurricane.

It is indeed sad testimony, Mr. Speaker, that one more Federal regulation has succeeded in virtually shutting down an entire industry, and I do hope those whose noble aim is to "save" the Eastern spinner porpoise and other species will assist my colleagues in answering their constituent mail this summer when the price of tuna doubles without a porpoise having been saved.

WESTCHESTER GUIDANCE CENTER—35TH ANNIVERSARY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. OTTINGER. Mr. Speaker, on Saturday, April 23, the Westchester Guidance Center will celebrate its 35th anniversary. I would like to share with my colleagues an article which recently appeared in the Westchester Rockland Newspapers describing its important work, which could well serve as a model for the Nation:

The Guidance Center is celebrating its 35th anniversary of providing mental health clinic service to the Westchester community with a dinner-dance on Saturday, April 23. The event which will honor all the past presidents of the Center will be held at Brae Burn Country Club in Purchase.

Cocktails will be served at 7:30 p.m. with dinner at 8:30 p.m. There will be an orchestra for dancing to music of the 1940s and 1950s.

The proceeds will benefit the Guidance Center, which is the largest non-profit psychiatric clinic in Westchester, serving New Rochelle, Larchmont, Mamaroneck, and Pelham, and offering a complete range of treatments to all segments of the community regardless of race creed or ability to pay.

The center operates a therapeutic preschool nursery program in both morning and afternoon sessions, aimed toward enabling the children to enter the public school system. Consultation with parents is provided for as well as careful follow-up of these children on completion of the nursery program.

A rehabilitation program of both group and individual therapy is run for chronically mentally ill adults who require long term care. There are men's and women's groups, couples groups, and specific problem-oriented groups. The center has also developed a full range of services especially directed toward adolescents and teen agers, providing therapy in individual, group and family settings. Consultation services are also provided to the school system.

The center's Day Hospital, unique in the area, is a new program offering an all day intensive therapeutic schedule Monday through Friday for patients with severe life-disruptive problems of a psychotic nature. It can serve as a means of preventing hospitalization and restoring severely disturbed individuals to a level of self-sufficiency and the ability to function adequately at work and at home.

The average length of stay is three or four months, after which the patients enter the newest program called "The Living Room." Here they spend an additional few weeks learning social and vocational skills to help ease them back into community living. The Guidance Center also has the major Methadone Maintenance Treatment Program in Westchester.

The center's main clinic is at 70 Grand St. in New Rochelle. There are two field stations, one on Lincoln Avenue in New Rochelle, offering services on Saturday as well as evenings, and another in Mamaroneck.

Sheila Bloom is dinner-dance chairman, assisted by Morton J. Chalek, program; Grace Feinman and Claire Brown, reservations and seating; Muriel Samen, decorations; Jeanette Streger and David Streger, tickets; Ruth Singer, publicity; and Harold Rein, Bernard Livingston, Edward E. Lustbader, Harold Rubin, Allen Ross and Pauline Stillman, journal.

BOB BERGLAND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. TEAGUE. Mr. Speaker, on Monday, April 4, 1977, the following article appeared in the Washington Star which outlines the changes our former colleague, Bob Bergland is bringing to the Department of Agriculture as the new Secretary of that agency.

It is my feeling Mr. Speaker, that Bob Bergland, a farmer himself, will not only do an excellent job as Secretary of Agriculture, but will succeed in bringing about a new look in agriculture which will not only benefit this country, but the individual farmer as well. I for one want to wish him the best of everything and will endeavor to support him in his efforts to once again recognize that facet of our economy which has sorely been overlooked in the past; the forgotten farmer:

HOW BOB BERGLAND IS CHANGING USDA

(By Goody L. Solomon)

When Earl Butz resided in Room 200A of the U.S. Department of Agriculture, some farmers' representatives, consumers and the press claimed they often found the secretary's door closed. Bob Bergland seems to have flung them open. He's met more than once with almost every special interest the department touches.

They usually come away feeling optimistic. Bergland charms them. He's also been open to their causes—too open perhaps in the eyes of some observers.

Bergland is showing himself to be a compromiser. In presenting his recommendations on farm legislation to the Senate Agriculture Committee, he said, "This program represents a middle ground in the administration (and) I will fight for it . . . (although) I wouldn't recommend it as a private citizen (with a farm in Minnesota)."

In many ways—his personal style, his rhetoric, his sub-Cabinet selections and the programs slated to get attention by his administration—Bergland appears to have turned USDA in a new direction. To see the difference, look back at the Butz posture:

Butz dogmatically insisted that government keep hands off food supplies and prices. While he kept price supports "ridiculously low," to use the words of a farm organization representative, Butz also dismantled the county and district farmer committee through which price support funds were distributed, thus weakening the whole system.

Laissez-faire to Butz meant no formal reserve system and no regulation of exports. Nor would he undertake international cooperation on grain reserves.

Richard L. Feltner, assistant secretary for marketing and consumer services under Butz, summed up the philosophy of that administration. "I firmly believe," he said, "that what's good for General Motors is good for the country."

What resulted from that approach was this:

Butz ended most crop quotas and acreage allotments, and agriculture moved to full-scale production, something the experts generally applaud. Meanwhile, though, he set loan rates so low on grains that many farmers didn't enter the program and are now left holding excess supplies. Not only does this add to farmers' rising operating costs but also

there is no mechanism for handling the surplus.

For, if farmers take out commodity loans, they do so in order to withhold grain from the market in hopes that prices will rise. They get a government-fixed price per bushel, which is below the market price. The grain serves as collateral and the farmer obtains cash for current operating purposes. If market prices don't rise as anticipated, the farmer repays his loan with the stored grain, which the government can save for times of adverse weather and short supplies or can use for export through the Food for Peace program.

Inasmuch as farmers didn't enter the loan program while they had bumper crops in wheat and rice during 1975 and 1976, they are holding the largest surplus of wheat in 13 years and the biggest of rice in history.

Enter Bergland, who often talks in favor of free market competition but would interfere in order to balance inequities and prevent wide swings in farm and consumer prices. "To worship at the altar of the free marketplace," he has said, "is nonsense."

On March 23 Bergland gave the Senate Agriculture Committee his proposals for renewing the farm legislation which is expiring this fall. Although the secretary angered wheat farmers who had hoped for higher price supports than Bergland offered, his package did contain redeeming features for them and other agricultural interests.

As for Bergland's specifics:

Congress should increase target prices for basic commodities and establish a formula whereby target prices increase as costs of production rise. The main purpose of target prices is to get a floor to farm income. If market prices fall below target prices, the government pays the difference to the farmer.

Congress should continue the secretary's discretionary power on loan rates but grant it for more than one year. Bergland would then up the loan rates on corn (now at \$1.50 per bushel) to \$2, while keeping wheat at \$2.25 per bushel, so that more surplus wheat might be used for animal feed.

Tie loan rates to target prices.

Set up a mechanism for handling grain reserves as follows: Instead of the current one-year authority for commodity loans, the secretary would have the power to extend loans for three years with extensions when necessary. As an incentive for farmers to keep wheat and rice off the market when prices were between 140 percent and 175 percent of the loan rate, Uncle Sam would foot the farmers' storage fees. With prices below 140 percent of the loan rate, a farmer could not sell his grain and repay the loan without penalty. When prices reached 175 percent of the loan level, the point at which the grains should be released for sale, all loans would be called.

Eliminate acreage allotments which no longer reflect existing production patterns. The effect, said Bergland, would be to give farmers flexibility in planting barley one year, wheat the next and so on.

Finally, Bergland thinks the U.S. cannot possibly feed the world's hungry people but does have a responsibility to help out. "We will continue in negotiations with other nations to establish some sort of an international food security system," he said. Meanwhile, he requested an extension of the Food for Peace Program, with some modifications that would increase the money and the quantity of food available for emergency aid to poor countries.

Other major points of difference between Butz and Bergland:

Bergland views agriculture policies as closely tied to those on energy, housing, transportation, labor as well as diplomacy, therefore has already attended several meet-

ings of the Domestic Policy Council from which Butz often absented himself.

The current secretary has started revamping the advisory committees serving the department. Among other things, he has named two consumer representatives to the Expert Panel on Nitrites and Nitrosamines and has abolished 11 advisory committees not required by law.

"They amounted to representatives of agribusiness recommending policies that quite often were accepted by Butz and Hardin," said a staffer in Bergland's office. He also said "the committees were chosen for that purpose. . . . Continental Grain was represented on a lot of them . . . or a housewife on a committee would be the wife of a Republican leader." Instead of advisory committees, Bergland prefers public hearings on proposed regulations.

Cabinet officers traditionally and necessarily choose like-minded assistants and Bergland is no exception. But he's getting high marks from a wide range of observers for the caliber of his selections, including his choice of Carol Foreman, the former executive director of Consumer Federation of America who was sworn in March 25 as assistant secretary for food and nutrition.

Who are these people and what issues are absorbing their immediate attention?

John White, deputy secretary, was Texas commissioner of agriculture for 26 years. He's been called the "best of the state agriculture commissioners" and his administrative abilities are expected to compensate for Bergland's weakness there.

The economic brains at USDA belong to Howard Hjort. During the Johnson era, Hjort was first staff economist of USDA, then special assistant to the undersecretary and finally head of the department of planning analysis. In 1972 Hjort joined the consulting firm of the undersecretary for whom he had worked, John Schnitker.

Some credit Hjort with masterminding Bergland's recommendations on pending farm legislation set.

In characterizing the difference between himself and his predecessor Don Paarlberg, Hjort said, "Don is more oriented to a free-market framework. I decided a long time ago that the preconditions for a free market don't exist anywhere in the world and that belief has been strengthened in time. We have to compete in a world market where countries have administered prices."

As director of agriculture economics, Hjort's top priority is to "make a careful assessment of what would happen both to the demand for and supply of commodities if the U.S. price were to be plus or minus 20 percent of what it actually is."

Dale Hathaway, slated to become assistant secretary for international affairs, will come to USDA directly from the International Food Policy Research Institute, of which he was director since its founding in 1975. That group looked into the wide ranging food problems of developing countries. At USDA, Hathaway will continue in that quest.

Alex Mercuri, as assistant secretary for rural development, will set his sights first on devising regulations that would permit the department to implement rural development legislation of 1972 that the Republicans neglected. USDA will be examining ways of putting local and community resources to better use and of bringing in commercial capital.

Mercuri's background suits his job. He was vice president for regional and community affairs at the University of New Mexico and before that was president of a technical and vocational school in the rural mountains of New Mexico.

Similarly, Rupert Cutler, assistant secretary for conservation research and education, has a solid background in natural resources management and environmental action, most recently as professor of resource development and extension specialist at Michigan State University. Before that he was assistant executive director of the Wilderness Society here and earlier had worked for the Virginia Wildlife Federation.

Carol Foreman has one of the pressure jobs in the department. She is in charge of the highly criticized food stamp and other feeding programs, which together absorb \$9 billion of the \$14 billion USDA budget.

Bergland's proposal for strengthening the food stamp program and cleaning up its abuse will be given to the House Tuesday and the Senate Thursday. While details have not yet been worked up, the most favored option reportedly includes these provisions:

Eliminate the purchase requirement. (A bill to that effect has been introduced by Sens. Robert Dole, R-Kan., and George McGovern, D-S.D.)

Establish income eligibility by using a standard deduction covering family expenses instead of the current itemized deductions which require that applicants submit lengthy and complicated documentation. As a consequence, recipients at the highest income level would have been reduced and that in turn would help keep the total food stamp budget in tow.

A big question regarding Foreman's position is to what extent she could or should act as the consumer advocate in the department. Although she admits that her presence will help keep a focus on public needs, she doesn't think that consumer advocacy should be her job.

A proposal getting serious consideration at the department would create an office of citizen participation. Apparently Bergland is intrigued with the notion that individual farmers, who have a hard time getting their two cents into the department policies, would be helped as much as other citizens.

In any event, Robert Meyer, a California farmer who will be assistant secretary for marketing, plans to work directly with farmers. "Instead of mandating solutions from Washington," he said, "when something comes up that requires a solution from the department I will go first to the producers. The most common sense comes from farmers. . . . Then everything is a compromise. After (a decision is made) I will explain it to the farmers."

PERSONAL ANNOUNCEMENT

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. LEHMAN. Mr. Speaker, on Wednesday, April 6, I was forced to leave the floor before the House had completed its business for the day. I had to catch a plane back to Miami in order to keep commitments to my constituents.

I missed the vote on the final passage of H.R. 5262, international lending institutions. Had I been able to remain for the vote, I would have voted for the bill.

MEDICARE REIMBURSEMENT FOR COMMUNITY MEDICAL CENTERS

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. CORMAN. Mr. Speaker, today I am introducing legislation to amend title XVIII of the Social Security Act so as to improve the opportunities for medicare to obtain ambulatory mental health care through community mental health centers.

The CMHC program has brought about dramatic improvements in the accessibility, quality, and cost of the Nation's mental health services. This program has been highly successful in documenting the value of providing mental health services in a community setting.

Unfortunately, all segments of the population have not been able to benefit from CMHC's. It is a harsh reality that the group least served by CMHC's has the most mental health problems—the elderly. This ironic situation has occurred, however, more because of gaps in medicare coverage than flaws in the CMHC program.

To date, participation by CMHC's in medicare is very limited. Only those CMHC's operated directly by a hospital are participating fully in the program, free-standing CMHC's—85 percent of the total—cannot qualify as providers of care. Additionally, restrictions on mental health coverage under part B mean that reimbursements are not available for more than about 7 to 10 visits per year for each mentally ill medicare beneficiary.

Currently, utilization rates for elderly persons seeking mental health services are extremely low. In the CMHC's, 3.9 percent of patients in 1974 were 65 or over.

The bill I am introducing today is designed to—

Make outpatient services of qualified community mental health centers more accessible to medicare beneficiaries by establishing CMHC's as providers of care.

Coordinate Federal policy under the CMHC Act and title XVIII so as to insure that these two programs work together for the benefit of the mentally ill.

Provide reimbursement for 10 visits to a CMHC and for additional visits—up to a maximum of 60—following utilization review as to appropriateness and necessity of treatment so that the great majority of patients can receive all the care they need in any year.

The legislation does not, however, expand the types of services which reimbursement is to be made; it simply authorizes reimbursement for these services in a CMHC as well as through a hospital or a private practicing physician.

Under recently enacted CMHC legis-

lation, each center must now establish a specialized program to address the mental health needs of the elderly, and also to provide services to individuals released from an institution or who might otherwise be admitted to an institution. These requirements were written into the law specifically to improve both accessibility and comprehensiveness of CMHC services to the elderly. With this new mandate, CMHC's are expected to more aggressively seek those in need of care.

In many areas, CMHC's are the only accessible source of care and the only alternative for many persons to State mental institutions. The problems of making such services available in rural and other medically underserved areas are particularly acute and the Federal program is meeting this need—two-thirds of federally funded CMHC's provide services to medically underserved populations and 40 percent are in rural areas.

Mr. Speaker, this legislation addresses the dual needs of strengthening medicare coverage and increasing the financial independence of CMHC's as mandated in the Community Mental Health Centers Amendments of 1975.

CMHC's are now eligible for 8 years of declining operational support based upon the estimated deficit in their program. At the end of 8 years, CMHC's are expected to become self-sufficient. But, in fact, as these programs come to the end of their grants, alternative funding is not easy to find.

Medicare reimbursement would insure that the services of CMHC's would continue to be available to the over 65 and disabled population after Federal categorical funds terminate. Medicare could be an important payor itself, yet it also serves as a model for medicaid plans and influences reimbursements from insurance carriers and provider status. Medicare could thus have a major effect on the fiscal viability of the entire CMHC program.

For those CMHC's still on the Federal grant, categorical funds would be reduced dollar-for-dollar by the amount collected from medicare, as well as other third-party payments.

NATIONAL STUDENT GOVERNMENT DAY

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. PERKINS. Mr. Speaker, I would like to take this opportunity to acknowledge my support of National Student Government Day, April 5, 1977. As chairman of the Education and Labor Committee in the House of Representatives, I am confronted daily with the complex problems of our Nation's schools. Some of these problems necessitate Federal

action; others are State and local matters. But, I am of the opinion that it takes more than just additional money and legislation to solve these problems and make our educational system one of the highest quality. I feel that it takes interest and action, concern and work, on the part of everyone involved in the education enterprise, including most particularly students.

This is why I would like to commend today our student leaders and all students who are involved in school affairs. Too many people of all ages feel that their efforts cannot change anything and therefore are willing to sit back and criticize the efforts of those who do get involved. I am proud of our young people who do not take this attitude, but who instead realize that active individuals are the basis of our Nation's strength, both in school and in later life.

Some of them may aspire to someday working in government at the local, State, or Federal level. Many of them may become future leaders in a variety of fields. All of them will have had a valuable experience in learning the meaning of citizen contribution.

Again, I would like to express my support for setting aside a day to pay tribute to these young people in student government. They are a true source of strength for our country.

THE SPIRIT OF HELSINKI

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. PEASE. Mr. Speaker, the New York Times yesterday reported that the State Department, after consulting with the AFL-CIO, has denied three Soviet trade unionists visas to attend a longshoreman's convention in Seattle.

If the press accounts are accurate, then the State Department with this action has undermined the credibility of the American commitment to the Helsinki accords. More importantly, the refusal to grant the visas only serves to undercut the efficacy of our renewed commitment to human rights.

Many efforts have been made in recent weeks to prod the Soviet Union into greater compliance with the provisions of "basket three." Among the recent criticisms directed at the Soviet Government is its failure to allow more travel in and out of Eastern Europe and the Soviet Union. Now this criticism appears hollow as our own State Department, reportedly after consultation with officials of the AFL-CIO, has refused to allow three Soviet trade unionists to visit the west coast for a convention.

In his speech at the United Nations last month, President Carter announced that the administration would take steps to eliminate arbitrary restrictions upon travel to the United States. The action

taken by the State Department contradicts President Carter's pledge. It calls into question the seriousness and sincerity of our human rights pronouncements.

Currently, the administration is seeking to establish a systematic human rights policy that will be coherent and evenhanded. I urge the State Department to reconsider its action and I urge President Carter to follow through on his pledge to lift unnecessary restrictions on travel to the United States.

It is incumbent upon the United States as well as the Soviet Union to abide by the letter and the spirit of the Helsinki accords. Surely, we have enough confidence in ourselves as a people and in our democratic traditions as a nation not to fear the consequences of foreign visitors coming to the United States for a few days. To demonstrate the vitality of our democratic beliefs, we should not arbitrarily refuse entry to any foreigners seeking to visit the United States.

THE CANCER BATTLE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for April 13, 1977, into the CONGRESSIONAL RECORD:

THE CANCER BATTLE

Cancer is America's nightmare. Even though heart disease may kill more people, surveys show that 60% of the people fear cancer more than any other disease.

Each year the cancer death toll mounts. Statistics now show that one out of four Americans alive today will be stricken out cancer and that of those stricken, two out of three will die. Although most scientists feel that carcinogens—cancer causing substances—will eventually be controlled and eliminated, they predict that the worst may be yet to come since many, and perhaps most, cancers are a direct result of dangerous substances in the environment.

Six years and millions of dollars ago the nation declared war on cancer. Today the battle rages on, still costing a thousand Americans lives each day. And even though we are spending more and more money, the survival rate from many forms of cancer has improved only slightly over the past twenty years.

Some critics say the national cancer program is a multi-million dollar mess. The record shows few successes and many problems. The lack of coordinated leadership is evident. The regulatory apparatus of the program is reportedly bogged down in unfinished business. The single most significant achievement of the cancer program may be the growing recognition that cancer is not essentially a medical problem, but an environmental problem, caused largely by substances in air, water, food and tobacco. Despite this understanding of the problem, cancer research is still aimed primarily at finding an elusive cure rather than identifying and preventing environmental causes.

Why can't American know-how, which created the atomic bomb and took us to the moon, cure and prevent cancer? It probably can reduce cancer deaths significantly, but it will take time. Unlike the Manhattan and Apollo projects where the basic science was understood and only the complex engineering had to be developed, in cancer research the basic science is not understood completely. Before scientists can cure cancer, they must learn to identify and better understand cell reproduction. Cancer is the failure of the cells' regulatory mechanism to behave properly. The cell loses control over its rate of reproduction and divides wildly, invading normal tissues. These cancerous cells overproduce and begin to grow over normal cells which eventually suffocate and die. To complicate the problem for the scientist, cancer is not one disease. It is more than one hundred different illnesses that strike the body in different areas and in different ways.

Most scientists now agree that many causes of cancer can be eliminated by removing certain substances in the environment. They think that as much as 90 percent of all cancer may be induced by substances in our air, food, water and places of work. Since we live in a chemical world, with approximately 200,000 man-made chemicals in existence and several thousand more being created each year in the form of new pesticides, food additives and industrial chemicals, many scientists believe our attack against cancer should be directed toward eliminating or curbing the use of these substances.

Despite all of the problems there is hope. Steps are being taken to clean up the environment and to eliminate cancer-causing substances from the environment. Last year the Congress approved the Toxic Substances Control Act. This new law requires chemical manufacturers and processors to conduct pre-market tests of substances that may present an unreasonable risk of injury to health or the environment.

Federal funding for cancer research is being rapidly increased. In 1971 federal funds for cancer research totaled \$190 million. Last year's budget was close to \$1 billion, which represented nearly a 500 percent funding increase in six years. Our research efforts are also being redirected. Congress is recommending that the National Cancer Institute spend more money studying nutrition and environmentally induced cancers.

Medical advances are also made. Doctors today have greater optimism for recovery for cancer patients than ever before. When the disease is located and treated early prospects for recovery are better. In addition to the more conventional forms of cancer treatment, such as surgery, radiation and chemotherapy, new technologies are being developed to improve both cancer detection and treatment. It is doubtful, however, that we will find a miracle drug to prevent and cure all cancers. Cancer is simply too complex and caused by too many stimuli to be totally eradicated.

Many things can be done to reduce the risks of cancer but the most important is to recognize that lowering the incidence of cancer will require changes in the American life style. Increased public awareness of proper diets and of the hazards of excessive exposure to sunlight and tobacco smoking, and vigorous action to remove as much as possible, carcinogens from the environment can make a significant dent in our cancer mortality rate. The evidence now is that the tide of battle will turn in the war against cancer when Americans recognize the risks of their life style, and accept the changes that must be made in it.

WELFARE REFORM AGAIN

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. FRASER. Mr. Speaker, planning for the reorganization of our welfare system could benefit from the perspectives of Richard A. Cloward and Frances Fox Piven. Their analysis of the forces moving the Great Society programs in their book "Regulating the Poor: The Function of Public Welfare" has been widely read and held by many to be an accurate assessment of the social programs of the 1960's.

In the April 11, 1977, New York Times, Cloward and Piven remind us that the lessons of the 1960's can guide in our current reform planning. Particularly they note that our welfare problems spring from unemployment, not from the welfare system itself. I submit the article for the benefit of my colleagues:

WELFARE REFORM AGAIN

(By Richard A. Cloward and Francis Fox Piven)

The Aid for Dependent Children rolls have moved up to more than 3.5 million families. Swollen budgets at the state and local levels are thus provoking demands for welfare reform, and President Carter is convening task forces to put the matter before the Congress again. But this period of debate is just as likely as earlier ones to avoid the underlying problem: Persisting unemployment, the main cause of high welfare case loads.

More than likely, the pending debate will focus on alleged abuses of the welfare system, not on the obvious problems in the economic system, with the probable result that the relief system will be "reformed" to make benefits more difficult to obtain by the unemployed.

In the 20th century, the United States economy has failed to provide anything resembling enough jobs except during brief intervals of war. One does not have to be a historian to recite the main facts.

World War I generated a boom, but it was followed by severe unemployment throughout the 1920's that reached catastrophic proportions in the Great Depression. World War II restored employment, but a sharp peacetime recession followed in the late 1940's. The Korean War brought unemployment levels down, but the second half of the 1950's was a time of "rolling recessions," which persisted after John F. Kennedy gained office. Toward the end of the 1960's, the Vietnam War again brought unemployment levels down, but only temporarily. We have been in a post-Vietnam recession since 1970 and the prospects are that it will last throughout the decade. Minorities usually are especially hard-hit.

Unemployment benefits help, but not everyone is covered, and the benefits expire. Since welfare is the only longer-term recourse for long-term unemployment, the rolls continue to rise.

Employers benefit from unemployment. High unemployment rates make the entire working class frightened and docile, as evidenced by acquiescence in declining real wages. Economic reforms that would deprive employers of this weapon in dealings with workers are therefore likely to be fiercely resisted.

If the United States will not provide

enough jobs, that fact ought to be acknowledged. Perhaps then we could face the questions that simple decency dictate. In the absence of work, how are the unemployed to be sustained? How many of the unemployed will be reached by one or another program? And at what levels will they be allowed to survive?

But periods of welfare reform are not periods of simple decency. They are periods in which myths are manufactured to conceal great harshness.

The overriding myth is that welfare destroys the poor. For one thing, welfare is said to destroy the incentive to work. And if welfare grants are so liberal as to come close to the minimum wage, then the presence of a large welfare population is alleged to make the working poor also wonder whether they should work.

These corrosive effects on the work ethic are then invoked to explain why the welfare rolls continue to rise, and are sometimes even invoked to explain unemployment among the underclass.

Another recurrent myth is the view that welfare undermines the family. Men desert wives and children to make them eligible for welfare benefits. And the weakened families that result give rise to a host of "social pathologies" among the young—delinquency, school failure, addiction, civil disorder and a new generation of welfare dependents.

The welfare reformer's portrait of the American welfare underclass is a portrait of a whole sector of the population being led to abandon traditional American values by a too-lax charity.

Well, perhaps so. Who could reasonably argue that allowing able-bodied people to languish on welfare indefinitely is anything but demoralizing? But it is mythical to blame welfare for that demoralization.

Welfare reformers want it both ways. They want to avoid calling for drastic and unpopular changes in the economy that might produce enough jobs to go around, and at the same time they want to curb the ills that follow from prolonged dependency on the dole.

Their method (it was invented centuries ago by the English poor-law commissioners) is to analyze welfare policies and practices to show that the welfare system itself is the cause of demoralization among the poor. Eligibility policies are too lax, grant levels too high, deserting fathers let go scot-free, fraud shrugged off, malingering tolerated.

To reach such a diagnosis is to know the remedy: tighten eligibility, lower grant levels, find the deserting fathers, curb fraud, reward work and punish worklessness. As these myths become full-blown and widely publicized, it may fairly be said that a new period of welfare reform is upon us.

WOLF-CARIBOU INTERACTION STUDY NEEDED IN ALASKA

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. WHITEHURST. Mr. Speaker, some time ago, I requested the Department of the Interior to prepare for me a report on what research might be valuable in Alaska before that State goes forward with its wolf-kill plans. The fol-

lowing letter and proposal are the result of that request, and I believe that they are worth the attention of my colleagues, particularly since they point up the need for legislation such as H.R. 2884 and H.R. 3801.

Implicit in the Department's report, it seems to me, is the fact that studies done so far by the State of Alaska have not addressed themselves to a number of vital questions regarding the effect on the ecosystem of such a major reduction in the number of wolves.

The material follows:

PROPOSAL FOR A COMPREHENSIVE STUDY OF WOLF-CARIBOU RELATIONS IN NORTHWESTERN ALASKA

This proposal was prepared in response to a request from U.S. Congressman G. William Whitehurst for an estimate of time, manpower, and funding necessary to conduct a comprehensive study of the "Alaska wolf problem," defined in associated correspondence and attachments as a study of wolf-caribou relations in northwestern Alaska. This area covers 140,000 square miles—about the size of Montana.

The Alaska Fish and Game Department (AFGD) has been conducting censuses of caribou and wolves in the region and according to their literature has accumulated sufficient information to institute a management program to restore the recently reduced herd. Therefore, this proposal assures that a much more refined investigation of wolf-caribou interactions is desired. Anything else would duplicate present AFGD efforts or fall short of them. Such a refined study in an extensive, extremely remote and climatically harsh region will require vast sums of money and considerable manpower. It could be accomplished in three years of field work, with two additional years of data analysis and report preparation.

OBJECTIVES

Caribou

1. To accurately determine the number of caribou and alternate prey species (Dall sheep, moose) in the study area.
2. To determine gross movement patterns of caribou herds and subherds.
3. To determine the health and condition of significant numbers of caribou.
4. To determine age and sex ratios in the caribou herd.
5. To determine the trend in size of the caribou herd.
6. To determine caribou calf survival rates and crises of calf mortality.
7. To determine annual productivity and mortality rates of the caribou herd and relative causes of mortality.

Wolves

1. To determine the number, distribution, and movements of wolves in the study area.
2. To determine the annual productivity and mortality rates of the wolf population.
3. To determine the health and condition of significant numbers of wolves.
4. To determine the rate of kill of caribou and other prey by wolves.
5. To determine the age, sex, and condition of prey killed by wolves.

Vegetation

1. To determine the biomass of vegetation available to wolf prey in the study area.
2. To determine the annual increases of available vegetation.
3. To determine the nutritional quality of available vegetation.
4. To determine the annual consumption of vegetation by caribou and other wolf prey.

Human beings

1. To determine the annual legal and illegal kill of wolf prey species by native and non-native Alaskans in the study area.

2. To determine the importance of wolf prey species to the economy and survival of native and non-native Alaskans.

3. To suggest alternative sources of income and food acceptable to Alaskans, which could substitute for wolf prey species.

METHODS

1. Four intensive study areas of 10,000 square miles each will be sampled for wolf population estimates.

2. Ten wolves each year will be captured by darting from helicopters, blood sampled, radio-tagged, and radio-tracked in each region, from as widely spaced areas as possible within each region.

3. In November and December, March and April aerial counts of radio-tagged packs will be made in each region each year.

4. Dens of each radioed pack will be surveyed for pup production and survival each year.

5. Selected packs will be radio-tracked daily from the air in each region for periods up to one week each in summer, fall and winter to determine prey kill rates.

6. Caribou will be counted and classified each year as to age and sex by aerial photograph over the entire study area.

7. Large numbers (50-100) caribou from each subherd will be darted from a helicopter each year and aged and blood sampled.

8. Selected numbers of each caribou subherd will be radio-tagged and radio-tracked periodically to monitor movements and distribution of herds.

9. Enclosures and enclosures will be used to assess consumption rates of vegetation by caribou.

10. Aerial and ground observation of radioed caribou herds will help determine wolf predation rates and causes of caribou mortality.

11. Annual aerial censuses and sex and age classification of more of Dall sheep herds in the study area will be conducted and some measure of the importance of these prey species to wolves will be obtained.

12. Ground sampling of vegetation in randomly selected plots from throughout the study area will be conducted, and total caribou food biomass and annual increment estimates obtained.

13. Personal interviews, inspection of records, and other sociological methods will be used to determine the importance of caribou to native and non-native Alaskans.

PERSONNEL

Project leader—wildlife research biologist—GS-13—5 years equals 5 persons year.

Two wildlife research biologists—GS-12—4 years equals 8 persons year.

Two plant ecologists—6 man/yr each—GS-12—3 years equals 3 persons year.

Six biological technicians (6 man/yr)—GS-9—3 years equals 9 persons year.

One sociologist—GS-12—1 year equals 1 person year.

One secretary-clerk—GS-7—5 years equals 5 persons year.

Total: 31 persons year.

BUDGET

Personnel	\$670,000
Flying time	1,355,000
Travel and per diem	387,000
Blood sampling	45,000
Radio equipment	30,000
Miscellaneous	940,000

Grand total 3,427,000

ANNUAL DISTRIBUTION

\$1,075,000/year for first 3 years.

\$101,000/year for last 2 years.

NOTE.—Because of the large amount of money to be spent on fixed-wing aircraft and helicopter time, it probably would be more economical to buy the fixed-wing craft and lease the helicopter, and add 2 pilots to the study full-time for 3 years each.

ABBREVIATED STUDY

1 WRB×5 yr=5 p. year.
1 WRB×3 yr=3 p. year.
3×4 yr=6 p. year.
1 Pl. Eco.×3 yr=3 p. year.
1 Sec.×5 yr=5 p. year.
Total: 22 persons year.

Personnel	\$475,000
Flying time	700,000
Radio equipment	20,000
Blood sampling	25,000
Travel and per diem	200,000
Miscellaneous	500,000

Grand total 1,920,000

600,000/yr×3=1,800,000.
60,000/yr×2=120,000.

RESPECT FOR HUMAN RIGHTS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. WINN. Mr. Speaker, in spite of the recent criticism of President Carter's statements on human rights, I would like to bring to the attention of my colleagues a short account of the violation of human liberties suffered by Jewish men and women in the Soviet Union.

Although I have reservations about the results of President Carter's actions due to the failure of the recent SALT negotiations and the few signs that dissidents have actually benefited, I cannot fault his intent. All of us who have a respect for democracy must be for human rights—that is the essence of democracy. My awareness of and personal acquaintances with many fine U.S. citizens of the Jewish faith enable me to understand the difficulty of remaining silent when such wrongs are committed.

The material follows:

JCRB

FOR YOUR INFORMATION

A new and ominous situation is developing in the Soviet Union. This article presents a short summary of the most recent events. For more detailed information, contact the Jewish Community Relations Bureau, 25 E. 12th Street, Kansas City, Mo. 64106 (816)—421-5808.

[From the Kansas City Times, Mar. 17, 1977]

BLACKMAIL ALLEGED; ACTIVISTS CALL ON UNITED STATES

(By Thomas Kent)

Moscow.—The Soviet Union's leading dissidents yesterday accused the Kremlin of blackmailing the United States and appealed to President Jimmy Carter not to tone down his human rights campaign.

Andrei D. Sakharov and 20 other dissidents said the arrest Tuesday of a Jewish activist accused of being an American spy was a deliberate provocation by Moscow just two weeks before the visit of Secretary of State Cyrus Vance.

Anatoly Shcharansky, 29, was seized by police 11 days after the Soviet government newspaper Izvestia accused him of being in a spy ring managed by U.S. Embassy officials.

His friends said police told them Shcharansky is suspected of a crime against the state—a category of serious offenses that includes treason, espionage and anti-Soviet agitation.

In a related development, Israeli Foreign Minister Yigal Allon charged that the arrest

of Shcharansky and Soviet press attacks on other Jewish activists were "a new dimension in the persecution of the emigrant activist movement, in fact against all Jews—a grave and worrisome dimension such as we have not known for the last 25 years."

Sakharov and his colleagues made their accusations against the Kremlin at a hastily called meeting with Western reporters. They said that Moscow, while arresting and harassing dissenters, was using the threat of cancelling strategic arms limitation talks in an effort to keep the United States silent on human rights violations.

The Soviet Communist party newspaper Pravda said Sunday that U.S. involvement in Soviet internal affairs could create an atmosphere of mistrust between Moscow and Washington that could hurt arms talks.

"They are saying the United States will not get detente agreements," Sakharov said. "This is pure blackmail."

"The arrest of Shcharansky is an attempt to blackmail the new administration of the U.S.A. in advance of Vance's visit to force it to retreat from its principled position of defense of human rights in the whole world."

The dissidents said Vance should decide by himself if he wants to meet with them during his visit to Moscow. Sakharov said he was not asking for an appointment but believes in talking to everyone who wants to know his views.

The dissidents expressed satisfaction at the release from prison Monday of Mikhail Shtern, 58, a Jewish physician who had been jailed for more than 2½ years in the Ukraine.

He was sentenced to jail for bribery, but dissidents claimed the real reason was to intimidate other Ukrainians who, like Shtern, had applied to emigrate to Israel.

A statement given to reporters by Vladimir Slepak; Alexander Lerner; Ida Nudel; Benjamin Levich; Sakharov's wife, Yelena Bonner, and other Jewish activists claimed recent Soviet actions against Jews "in their basic aspects repeat the scenario of the 'doctors-wreckers' plot in 1952-53."

In that episode, reportedly carried out on Stalin's orders, nine doctors, including several Jews, were seized and accused of plotting against the lives of Soviet leaders. They were alleged to have links with British intelligence and Zionist groups overseas.

"We believe that people are not, in this era, going to permit the rebirth of Stalinist terror and a new tragedy for Jewish, and not only Jewish, people," the statement said.

SUPPORTING STATEMENTS ON MANDATORY SENTENCING LEGISLATION

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. ANDERSON of California. Mr. Speaker, with each passing day I become more convinced that the time for mandatory sentencing legislation is long overdue. Presently 107 Members of the House of the Congress have joined in cosponsorship of H.R. 1559.

I urge any Member who has not yet cosigned this bill to do so. Our professional law enforcement officials and private citizens write me each day, eager to hear of its passage.

I look to the leadership of our Committee on the Judiciary and hope that consideration of this legislation will be

forthcoming at the earliest possible opportunity.

I include the following:

LOS ANGELES, CALIF.,

March 30, 1977.

HON. GLENN M. ANDERSON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: The serious threat represented by the use of a firearm in the commission of a federal crime merits the heavily penal response embodied by HR 1455: an automatic minimum sentence; a sentence which cannot be suspended, cannot be served concurrently with any term of imprisonment imposed for the commission of the federal crime in which the handgun was used and which cannot be transformed into a probationary sentence.

I am weary of the references to spiraling crime. Of course crime is spiraling. It will continue to spiral unless we become disdainful of half measures and initiate a sure and effective legal response to the illegal use of firearms.

It should be noted, too, that HR 1455 is directed not at those who simply use guns but, rather, at those who abuse them and who thereby jeopardize the rights and lives of innocent citizens.

By virtue, then, of its status as a piece of crime control rather than gun control legislation, HR 1455 does not become vulnerable to the many attacks, emotional or otherwise, levied on legislation falling into the former category.

I strongly urge the passage of HR 1455.

Sincerely,

ROSE MATSUI OCHI,
Executive Assistant to the Mayor,
Director, Criminal Justice Planning.

A NOT-FOR-PROFIT CORPORATION

BRENTWOOD, N.Y.,

March 21, 1977.

HON. GLENN M. ANDERSON,
House of Representatives,
Washington, D.C.

DEAR SIR: Anticipating your forwarding of Support List for H.R. 1559, we have notified all our members to Promote support for this bill.

Again we ask your support as an American Citizen, to parallel our Petition for F.A.R. change, and to enter the Petition in your Extension of remarks.

Thank you for your anticipated cooperation.

Sincerely for good government,

ALBERT LUPPO,
Director.

EUREKA, CALIF.,

March 28, 1977.

Re H.R. 1559.

HON. GLENN M. ANDERSON,
Congress of the United States, House of Representatives, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN ANDERSON: Please forgive my tardy response to your request for comments on your bill imposing a minimum five year term for illegal use of a firearm in the commission of a federal crime.

It is clear that easy access to firearms has caused grave bodily injury and death time and again in this country. It seems equally obvious that criminals who arm themselves before committing crimes should suffer more severe penalties than other offenders. If we cannot control the sale of firearms we must attempt to control their illegal use. One such method of control would be a severe penalty for use of a firearm in the commission of a crime.

I hope that these comments make it clear that I feel that the illegal use of firearms is a problem of alarming magnitude. Perhaps we have reached that point in our development, as a country, where we can admit that some criminals must be locked up to protect the public. I would say that those who arm themselves to commit crime should be locked up for as long as possible.

Thank you for the opportunity to give you my opinions on this issue.

Very truly yours,

JOHN E. BUFFINGTON,
District Attorney.

BAKERSFIELD, CALIF.,

March 30, 1977.

GLENN M. ANDERSON,
Rayburn House Office Building,
Washington, D.C.

DEAR GLENN: I certainly concur with the idea that use of a firearm in the commission of a crime should earn a mandatory additional prison sentence, and I believe it would deter persons from using firearms. We have been very tough on armed robbers in our particular County and I believe that partly as a result of this armed robberies have dropped about twenty-five percent.

Very truly yours,

ALBERT M. LEDDY,
District Attorney.

HANFORD, CALIF.

March 29, 1977.

Re H.R. 1559.

GLENN M. ANDERSON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: In response to your letter regarding H.R. 1559, I have to give you my wholehearted support on this particular bill. I feel that the use of a firearm by anyone committing a felony should receive excess time over other felons committing that crime. However, the courts in California have defined the use of the firearm to be the personal use of a firearm and therefore, I feel that possibly, to cover all bases, there should be an in-between term for those who benefit from the use of a firearm.

The argument I've heard against the additional time for people not actually using a firearm but being benefited by the firearm, is that if they are going to receive the same sentence, they would then be inclined to use a firearm. I feel that this is sort of a weak argument in that if a robbery is going down and one of the two or three persons there use a firearm, all participants in that robbery benefit from its use. If each would be subject to the additional penalty of five years as proposed in your bill, then perhaps none of them would in fact use that firearm. But if an individual could benefit from someone else using a firearm without himself being subject to a higher penalty, then it's worth a chance of having someone armed. The other two may in fact be armed but not have to use the weapon because one is sufficient.

Another problem is in identifying the person who, in fact, used the gun in the commission of a felony. If the People are unable to prove beyond a reasonable doubt as to which individual used the gun on the personal use situation, then no one gets the higher penalty which gives the advantage to the perpetrator of the crime rather than to the victim of society as a whole.

Therefore, I feel that all perpetrators of a crime, when use of a firearm is involved, should have the same type punishment of at least five additional years. However, if that is not possible, then the perpetrators of the crime who did not have the personal use should at least get two and a half years because of the fact that they did in fact benefit from someone else using the firearm. Another alternative would be to increase it to ten

for the personal user and five for the persons who benefit from the use of the firearm.

Thank you for allowing me to give you my comments.

Very truly yours,

JOHN G. O'ROURKE,
District Attorney.

STOCKTON, CALIF.,
March 7, 1977.

HON. GLENN M. ANDERSON,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: This is to acknowledge receipt of your letter to Sheriff Michael N. Canlis dated March 1, 1977 as it relates to his support of H.R. 1559 which provides for minimum mandatory prison sentences for those who commit federal crimes with the use of a firearm.

His support of this bill is one of many examples of his untiring efforts, right up to his untimely passing on February 14, 1977, towards making the communities of this country a safer place in which to live.

Sincerely,

FRANK W. HARTY,
A/Sheriff-Coroner, San Joaquin County.

PALOS VERDES ESTATES, CALIF.,
March 8, 1977.

HON. GLENN M. ANDERSON,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: Your statement to the Members of Congress quoted in the Congressional Record of January 19th, that H.R. 1559 is "not gun control but crime control" is most appropriate.

At a time when it has become necessary to make a fortress out of our homes by extra locks, bars on windows and alarm systems to protect our families and property, is an indication that strong constitutional laws are needed and enforced.

H.R. 1559 is in my opinion, a step in the right direction and I fully support it.

Sincerely,

JOHN E. DOLLARHIDE,
Chief of Police.

WHY WE NEED WELFARE REFORM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. FRASER. Mr. Speaker, the Department of Health, Education, and Welfare recently held a regional hearing in St. Paul on welfare reform. Jerri Sudderth, family advocacy director of the Family and Children's Service in my district of Minneapolis prepared the following statement describing the current system and why it needs reform. I submit her statement as compelling testimony to the havoc our present system causes the poor it intends to serve:

MARCH 24, 1977.

Mr. GEORGE HOLLAND,
Deputy Regional Director, Health, Education,
and Welfare, Chicago, Ill.

DEAR Mr. HOLLAND: As a voluntary agency affiliated with Family Service Association of America, we at Family and Children's Service are constantly aware of the implications of the national welfare system and its impact on the families we assist. In response to the welfare system, as well as other social systems, we began 4 years ago a program of advocacy with and on behalf of clients. Since

this program's inception the following general problem areas have emerged:

(1) There is a major need for structural reorganization of income maintenance programs so that responsibility for all programs are lodged within one agency. For example, currently AFDC and MA responsibility is separate from SSI and Food Stamps. Recognizing that Secretary Califano's proposed reorganization for income maintenance programs within the Social Security Administration is a positive step, we contend that this is not comprehensive enough.

First, from our experience in working with SSI recipients, we believe the bureaucratic structure of the Social Security Administration has shown itself more concerned about merit of claims rather than need. Its frame of reference is not human service-oriented. We question whether this is the appropriate agency for administering a series of programs aimed at alleviating financial need.

Moreover, a reorganization of HEW cannot affect the USDA Food Stamp or the supplemental WIC (Women, Infants and Children) Program, yet these programs are vital to income maintenance recipients if they are to provide themselves and their families nutritionally adequate diets on meager subsistence grants.

We see the need for a single intake procedure for all financially related services so that clients are not shuffled about between agencies, filling out myriad forms only to learn that it is a different program in a separate agency for which they might be eligible. The CETA programs and the HUD rent subsidy programs also are outside the sphere of HEW, yet they are necessary for many of our low income clients.

In many instances, we are in the position of trying to aid clients who need help from numerous directions. Work with battered women, for example, may entail referrals to several different agencies: AFDC, Food Stamps, CETA, Child Care Agencies, the Housing Authority, as well as local resources such as the police and legal services. If those of us who supposedly understand the inter-relationships of these HEW, USDA, and HUD programs are frequently confused and frustrated by conflicting policies and the gaps between them, how then can we expect a client, particularly in times of great stress, to find her way through bureaucratic mazes in order to get desperately needed assistance?

(2) We are concerned by the human toll that the current programs exact. Since income maintenance programs tend to be predicated on abject poverty as a requirement for service, families must suffer before gaining assistance. Three current examples come to mind:

a. A young couple with one small child is currently being seen by our agency staff. After intensive marital counseling, the couple has decided that separation and divorce is the healthiest solution for them. The husband has just found a job after extended unemployment. That job, however, does not provide enough compensation so that he can support 2 households and still maintain a lifestyle reasonably consistent with what he, his wife, and child need and desire. What was a rational, well-thought-out decision is becoming emotional turmoil for this family. He earns too much income for the wife and child to qualify for AFDC unless he refuses to support them. Yet he can't provide for them without help.

b. Last September, a 72-year old retired man was referred to us from a legal services agency. His 80-year old wife, confined to a nursing home by a chronic geriatric condition, had been told that the only way she would qualify for medical assistance were if they divorced or if he continued to spend their joint savings until no more than \$1,000 remained. At the time she entered the nurs-

ing home, their savings amounted to approximately \$20,000. In six months, he paid over \$8,000 plus Medicare coverage for her care. Faced with the continuing medical needs of both of them, he began neglecting his own health. He could face neither the possibility of divorce from a woman to whom he had been married nearly 50 years nor the possibility of spending everything they had worked and saved for years so that only \$1,000 remained. From his perspective, they had played by the rules: worked hard and saved their money. Now they were told that the rules had changed. Spend it all, give up any feelings of independence, live on \$272 a month, and then, and only then, the state and county would pay for their medical care. Despite our continued efforts, the man's physical and emotional health continued to deteriorate. His leg had to be amputated and he was placed in the same nursing home as his wife. He delegated to his brother management of his financial affairs and gave up all desire to live. Two weeks later he died. Cause of death was listed officially as a coronary attack, though it was clear to all concerned that he died as a result of a system which said his values were less important than financial savings to the state.

c. A 28-year old quadriplegic, injured as a result of a diving accident 8 years ago, is working with agency advocacy staff. At the time of the accident he was married with an infant daughter. His young wife tried to maintain the family by working. However, she was unable to earn enough to provide for her husband's extensive medical and attendant care needs. Unfortunately, she earned too much to allow the family to qualify for any kind of public assistance. The husband wanted to continue his education, but there was no way for him to do so unless his wife gave up her job to care for him. And her career was important to her. Their solution was the only available one: they divorced. He now lives in a nursing home and his wife and child live in a distant town. Their hope is that, when he has finished his college work, the two of them will earn enough that they can afford to be reunited as a family. Rather than assisting a family in need, our welfare policies caused the disintegration of a family unit, probably at a higher financial cost than would have been necessary to help the family.

(3) Current conflicting eligibility requirements for various income maintenance programs mitigate against provision of adequate humane service for clients. Many of these requirements are lodged in state legislation, yet they must be considered in any attempt at welfare reform. Real and personal property limits vary between programs. Net income standards vary, as do the methods prescribed for figuring such income. Disregarded income, as incentive toward self-support, also varies between programs. In many instances it is too low to be useful, as is the case with the retarded who are working in sheltered workshops while being trained for independent living. How can they possibly learn to care for themselves when they only are allowed to retain \$50 per month of their earnings.

We also urge the elimination of the work requirements for AFDC-recipients. Instead, we suggest that emphasis be placed on quality service, training, and job placement for those who desire to work. (See attached article by Prof. Esther Wattenberg for a more complete explanation of our concerns).

(4) With the social service component of HEW, we are most concerned about allocation of Title XX dollars. For the last 18 months, our agency, in coalition with many other social service agencies and consumer groups, has worked to inject real community input into the local planning area's Title XX process. The prevailing feeling in our county seems to be that the views of citizens and

providers would only muddy the county's internal allocation process. No one appears willing to look at existing services to ascertain if these are effective in meeting needs. Nor does anyone want to talk about new, innovative programs. Instead, Hennepin County seems to be locked into supporting existing services. The needs seen by providers and recipients of services have rarely, if ever, been considered. If we as an agency are frustrated, it is only because we naively believe in the objectives of the Title XX program. We believe that self-support and self-sufficiency are valid as goals for social services. However, the ceiling on the dollar amounts allocated to states for funding human service programs are inadequate. The state and county tend to use this ceiling as their excuse for not facilitating community input. That luck, happenstance, and political lobbying play such major roles in the allocation process is unconscionable.

CONCLUSION

Summarizing these concerns tends to lead one to wish for scrapping all the programs and starting over! While this may not be a totally responsible approach, there may be some merit to such an approach.

Two possibilities emerge. The first is a comprehensive program guaranteeing an annual income to all families or individuals. Recognizing that some individuals would still need special help, additional supplemental programs would still need to be established to provide, for example, home care services or job training.

A second alternative, and probably a more viable one, would be a real consolidation of all programs impacting family income stability and security. Programs now the responsibility of the Department of Labor, HUD, Agriculture, and HEW, as well as other appropriate ones, could be lodged in one governmental department. Such a reorganization would enhance service provision to clients and reduce confusion and gaps in service. Service to clients, positive service toward self-sufficiency, must be upheld as the objective in all meaningful welfare reform efforts, efforts which must culminate in a consistent policy which helps individuals and families rather than creating more confusion, turmoil, and pain.

Sincerely,

JERRI SUDDERTH,
Family Advocacy Director.

U.S. BREEDER REACTOR POLICY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. TEAGUE. Mr. Speaker, the liquid metal breeder reactor offers a long-term technology for expanding our uranium supplies almost without end. However, commercial use of the breeder has implications for nuclear weapons proliferation and worldwide terrorism. The following statement by the Atomic Industrial Forum on U.S. Breeder Reactor Policy outlines what a choice for developing the breeder will mean to the country:

U.S. BREEDER REACTOR POLICY

INTRODUCTION

U.S. energy policy must deal with two distinct time frames for which solution to our problems are needed: (1) the near future, when our heavy reliance on oil and gas can be reduced by increasing the efficiency of our usage and substituting existing alternative sources of energy, and (2) the longer range

future in which we can utilize more energy-efficient buildings and facilities, and bring on line new energy sources to replace our diminishing fossil fuels. The near term solutions for the few years remaining in this century—conservation and increased use of coal and light water reactors—will not be sufficient for the 21st century.

Our immediate energy problems, as demonstrated by the economic effects of our most severe winter in recent years, are indeed serious and must be addressed at once. We urge that they not be allowed to obscure the equally pressing and even more serious energy problems, caused by a combination of disappearing oil and gas and undeveloped alternative sources, that threaten our national strength and economy.

U.S. production of oil has declined since 1970, and we are now importing over 40% of our oil. Natural gas is disappearing even more quickly and cannot be counted on as an assured fuel for industrial uses beyond the mid-1980's. Coal is abundant based on the present consumption level, but there are practical limitations on expanding its use.

Though there are several developing technologies that we hope will be able to carry some of the load—more efficient transportation systems, solar home heating, coal gasification—the United States in 1977 can look with confidence to only one unused fuel source that will be technologically available, economically sound and environmentally acceptable to provide further power for our economy beyond the 1990's. This fuel source is depleted uranium-238, already in stockpile, which can be transformed into a usable fuel, plutonium, by the breeder reactor. Accordingly, it is imperative that the breeder, as a vitally important energy technology, be developed by the United States and made available for large-scale use.

BACKGROUND

The breeder—a reactor which creates more fuel, by transforming uranium-238 into fissionable plutonium, than it uses—is not a new concept. The first electricity ever generated by a nuclear reactor occurred at an early government experimental breeder in Idaho in 1951. Even earlier, when the chain reaction concept was first being demonstrated by Enrico Fermi's team of scientists in 1942, these pioneers recognized the concept of "breeding" for an essentially limitless supply of fuel. In addition to the Experimental Breeder Reactor I, the EBR-II has been generating electric power for more than 10 years, and Fermi I, prior to its decommissioning in 1972, was the largest operating fast breeder reactor for many years, contributing significantly to breeder technology. The Fast Flux Test Facility, currently 75% complete, will further U.S. knowledge of breeder reactor operations and materials.

The fact that the breeder can extract about 60 times as much energy from uranium as the light water reactor is a compelling reason to push forward on a priority basis a breeder program. The present stockpile of U-238 (which cannot be utilized in light water reactors) would provide, according to ERDA, nearly as much energy as would be available from our recoverable coal reserves. This energy source could contribute significantly to stable and reasonable energy costs.

Other industrialized nations recognize the need for the breeder reactor. Great Britain, France and the Soviet Union now operate prototype breeders, and the technology is well developed in Germany and Japan. These nations realize the breeder is vital to overcoming the economic threat of diminishing oil and gas supplies. The technical advances overseas have value in terms of providing an additional industrial and technology base. Successful importation of foreign technology, though, still requires an industrial base in the United States, and would not eliminate the need for a strong domestic program.

There are developments and experiences in these countries that we can profit from, only if our programs are on a par with theirs. Nevertheless, prudent planners in our country should seriously consider any significant progress made abroad.

ENERGY, THE ECONOMY AND ELECTRIC POWER GROWTH

High unemployment and poverty-level living conditions of many Americans are national problems, the solutions to which are related to energy supply. Only through an adequate supply of energy can we achieve an expanding economy, which will provide the jobs and improved economic conditions of many groups in our society. If these truly are our national goals, assuring an adequate, economic energy supply must be as well.

There is a direct correlation between energy, electricity, and the economy. For example, over the past 20 years, the increase in electrical power demand has led by about 3% per year the increase in the gross national product. The availability of abundant energy has allowed the improvement in economic productivity per worker, which has contributed to economic strength.

There are many reasons for expecting an increase in the future demand for energy. Fifteen million new homes will be needed in the next 10 years to house people who are in school today. Even if the unemployment level is 5%, by 1985 we must create 16 million new jobs. Millions of additional jobs will be needed to reduce unemployment to a more acceptable level. Much of the additional energy in the future to support expanded industry will be distributed in the form of electricity.

Electric power demand, after a three-year slump because of the economic recession and conservation measures, increased in 1976 by 6.3%. Even with continuing significant conservation and energy efficiency programs, most experts believe that U.S. electric power demand will continue to increase some 5 to 6% a year for the foreseeable future. This increase will reflect both a shift from the direct utilization of oil and gas to electricity, and a steady growth in GNP. The shift to electricity in some parts of the country has been accelerated because of the limited availability and high cost of fossil fuels and heavy public pressure to eliminate pollutants at the point of end use. This growth rate, modest by recent historical experience, will necessitate an electric system in the U.S. by the year 2000 that has about three times the capacity of our system today.

Prudent projections of total energy needs indicate that the U.S. level of consumption in the year 2000 may reach some 150 Quads (10¹⁵ BTUs), slightly more than twice the current demand. Though electricity represents only 29% of our energy use today, it must increase to about 50% by the end of the century to compensate for declining oil and gas reserves. That increase in electrical demand in a relatively short period will be difficult to meet with the two existing fuels, coal and uranium. Light water reactors are limited ultimately by quantities of uranium-235. And coal, even doubling from about 650 million to 1.3 billion tons per year, would not provide more than one-third of our national electric generating capacity. The National Academy of Engineering points out that such a doubling would require 420 new two-million ton per year surface and underground mines; 125,000 additional coal miners; and 130 new rail-barge systems of up to 1200 miles in length.

Though coal and light water reactors will be crucial parts of our future energy supply, they cannot by themselves replace our diminishing world supply of oil and gas and, over the long run, allow for continued economic advancement. The only technology now ready for demonstration as a new, viable commercial energy source to supplement these two is the breeder reactor.

U.S. BREEDER STATUS

The U.S. government, together with the electric power industry, is well along with the design and licensing of the 380-megawatt Clinch River Breeder Reactor demonstration plan (CRBR), which will supply the TVA system in Tennessee. Its operation, currently scheduled for 1984, will demonstrate environmental acceptability, as well as operating characteristics of LMFBR power plants on a utility system. It will provide a basis for design and licensing of future commercial breeders in the United States.

The LMFBR technology has been proven and is therefore the focus of our national program because of our greater knowledge and experience on this type of breeder. Other breeder concepts which may use abundant thorium as the breeding material, such as the thermal light water breeder reactor and molten salt breeder reactor, also have high potential as energy sources for the future and should be developed as appropriate. The gas cooled fast reactor approach (GCFR) with the potential to use either U-238 or thorium is already being enthusiastically supported by a significant number of utilities which have organized to coordinate and assist in GCFR design and development with the objective of building a demonstration plant. Nevertheless, it is emphasized that these other concepts do not alter the pressing need to pursue vigorously the present LMFBR program. Through this program the nation can be provided with a significant contribution to our energy supply from the breeder reactor at the earliest possible time.

The Clinch River plant will demonstrate the technology on a utility system. The foundation for future industrial expansion will follow from the scaled-up Prototype Large Breeder Reactor (PLBR) and the required supporting fuel cycle facilities. The overall objective of the national program should be to build a broad industry base to support wide scale application of breeder technology to meet the nation's energy needs.

The PLBR power plant is scheduled for service in the late 1980s. This schedule may be difficult to achieve unless it is given greater priority. This should be considered during the LMFBR program reappraisal called for by President Carter.

THE PLUTONIUM FUEL CYCLE

As part of our breeder program, all supporting fuel cycle technologies must be developed, including fuel fabrication, reprocessing and radioactive waste disposal. These technologies must be given more attention early in the development process if they are not to become the limiting factors in the breeder development program.

The most critical area that must be resolved soon is the uncertainty about fuel reprocessing, which would allow the recycling of unused uranium and plutonium from "spent" fuel rods. Without reprocessing, the breeder program will be incomplete. The principal obstacle facing reprocessing today is the lack of a clear government policy on its acceptability. We urge that these uncertainties be resolved quickly so that an increased experience base in this technology can be achieved in parallel with the development of the breeder reactors.

SAFETY RELATED ISSUES

Much of the debate over the development of the breeder reactor has hinged on such issues as plant safety, waste management, the handling of plutonium and the possibility of weapons proliferation.

None of these represents a valid reason to slow our national breeder development program. Assuring safety of breeder reactors is a straightforward engineering assignment and can be readily achieved. The handling of breeder wastes will be no different from

the handling of wastes from military and commercial light water reactor programs and can be accomplished through ongoing ERDA waste programs. The handling of plutonium for the breeder technology is similar to that for reprocessed light water reactor fuel. In terms of toxicity or general health effects, plutonium is no more difficult to handle than many chemicals, gases and other substances that government and industry now handle routinely. Moreover it has been successfully handled for over 30 years.

The safeguarding of plutonium to prevent its diversion is a consideration in both the breeder fuel cycle and in the light-water fuel cycle. Experience with nuclear materials over the past 30 years has shown that they can be adequately protected. If additional costs are required for still more stringent protection procedures, they will be small compared with the massive benefits that the breeder would bring to our economy.

Concern has been expressed that a U.S. breeder program would encourage other countries to develop a "plutonium economy" and facilitate their production of nuclear weapons. We consider this a misreading of international economics. It is clear that most of the developed world also sees the necessity of shifting from oil and gas to electricity, fueled by coal and uranium. Recognizing the increasing cost and finite supplies of both, several other countries are well on their way to full scale development of the breeder, including England, France, the Soviet Union, Germany and Japan. Termination of the U.S. breeder reactor program would have little effect on the efforts of other nations to develop their own plutonium economy.

We probably shall force other countries to develop the full range of indigenous nuclear fuel capabilities if the United States and other supplier countries outbid the rest of the world for the finite supply of oil and gas, and simultaneously stop providing nuclear fuel cycle services. If, after consuming most of the world's fossil fuels, the industrialized countries do not develop another abundant energy source, like uranium-238, the split between "have" and "have-not" nations will be aggravated with all the economic ramifications and consequent instability that implies.

For the United States to maintain the maximum amount of influence within the international nuclear community, it must be a major supplier of reactors and associated fuel cycle services. Otherwise, we shall have little influence over the nuclear export policies of other supplier countries and no viable alternatives to offer user nations.

CONCLUSIONS AND RECOMMENDATIONS

We believe it is strongly in the national interest for the United States to press forward with the development of breeder reactors. It represents the only longer range energy technology that offers the potential to provide a significant share of the nation's future energy needs and we feel it will be needed by the end of the century. We note that the development cost of even a few billion dollars is about the same as our present monthly expenditure for imported oil.

The development and commercialization of fuel cycle supporting technology could become the controlling factor in breeder industrialization because it lags behind reactor development. The nation must act quickly to resolve the roadblocks that inhibit the development of these technologies.

Therefore, we recommend:

Prompt completion and operation of the Clinch River Breeder Reactor (CRBR) to demonstrate the technology.

Reappraisal of what is needed for the next step after the CRBR and, in particular, the

government/industry relationships necessary.

Special attention to the development of fuel cycle services for breeder reactors. This includes early positive government decisions on reprocessing and other technologies needed to support the national breeder program, including implementation of timely demonstration programs.

Top priority be given to the breeder reactor in our energy development program.

BREEDER POLICY COMMITTEE

Chairman: W. Kenneth Davis, Vice President—Thermal Power Bechtel Power Corp.

Secretary: Howard J. Larson, Vice President, Atomic Industrial Forum, Inc.

Members:

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William R. Gould, Executive Vice President, Southern California Edison Co.

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George W. Hardigg, General Manager, Advanced Reactors Division, Westinghouse Electric Corp.

The Honorable Chet Holifield, Former Member, United States Congress.

Samuel F. Iacobellis, President, Atomics International Division, Rockwell International.

William J. L. Kennedy, Vice President, Stone & Webster Engineering Corp.

Milton Levenson, Division Director, Nuclear Power Division, Electric Power Research Institute.

Walter J. McCarthy, Executive Vice President, Operations, Detroit Edison Co.

Leonard F. C. Reichle, Senior Vice President, Ebasco Services Inc.

Dr. Robert B. Richards, General Manager, Fast Breeder Reactor Department, General Electric Co.

Dr. Corwin Rickard, Vice President, General Atomic Co.

Louis H. Roddis, Jr., Consulting Engineer.

Harold E. Vann, Vice President, Power, United Engineers & Constructors, Inc.

Godwin Williams, Manager of Power, Tennessee Valley Authority.

HUMAN RIGHTS IN THE SOVIET UNION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. DERWINSKI. Mr. Speaker, the subject of human rights in the Soviet Union will remain a major international issue. I direct the attention of the Members to an article appearing in the March 29 Christian Science Monitor by Joseph C. Harsch, a distinguished international columnist. Mr. Harsch emphasizes the sensitivity of the Kremlin to the nationalistic aspirations of non-Russian peoples within the U.S.S.R. I heartily commend the article to the Members:

MR. BREZHNEV IS SENSITIVE—WITH REASON
(By Joseph C. Harsch)

President Carter's talk about "human rights" has obviously caused pain in Moscow. Leonid Brezhnev does not like it. He has talked back in sharp terms. He has more reason than most persons living west of the river Elbe perhaps realize.

The reason, to quote the London Economist, is that:

"Even now, the Russians are on the verge of becoming a minority in the Soviet Union: the other peoples, combined, will overtake them any time now."

When Mr. Carter talks about "human rights" violations in the Soviet Union he and most of his Western listeners have in mind primarily some 2.5 million Jews in a total Soviet population which is estimated to be today about 275 million. But the Jews are the second smallest of the many non-Russian ethnic groups who inhabit the Soviet Union. The smallest group are the Tadzhiks at 2.1 million.

Mr. Brezhnev has to worry about a great deal of dissatisfaction among groups of people far more numerous than the Jews. If they were the only dissatisfied people in Mr. Brezhnev's empire he would have relatively little to worry about. The trouble is their complaints can tend to become contagious, and any concessions made to them can give ideas to a lot of other people.

Probably the amount of dissatisfaction inside the Soviet Union tends to be exaggerated outside. And even if the Russians by themselves become a minority of the total, there are two other Slavic groups, the Ukrainians at over 40 million and the Byelorussians at about 10 million, who make up a substantial Slavic majority. Taken together the three Slavic groups come to something over 180 million out of the total of probably 275 million.

So the time is certainly not in sight when the Slavs will be outnumbered in the Soviet Union. But there are something near a hundred million non-Slavs who cling to their own cultures and their own religions and who dominate the areas in which they live. Russians are a majority of the population only in Great Russia itself. Everywhere else the dominant element is the Moldavian, the Lithuanian, the Uzbek—or whatever it may be. And in all of these other non-Russian areas most of the top jobs are still in the hands of members of the Russian minority.

There are grievances in Mr. Brezhnev's empire. The Jews are among the aggrieved, but are a small minority of those aggrieved. Lithuanians, Latvians, and Estonians together number perhaps about five million. Their religion is Christian. They have been subjected to a heavy and relentless Russification program ever since they were re-subjugated by the Russians in 1945. They would like to get out from under Moscow's oppressive hand.

Much more numerous are the Muslim peoples of Central Asia numbering somewhere around 40 million.

These Muslims have the highest birth rate in the Soviet Union. They were subjected to Russian rule recently—much of it within a little over a hundred years. The big Russian push into the Muslim areas of Central Asia began in about 1840 and ended by about 1890. The peoples of these lands remember their own rich historic record. Their ancestors once ruled over huge empires of their own. They have grievances.

The melting pot has worked imperfectly in the United States, but Americans compared to Soviets are homogeneous. There is no single group of persons inside the United States who would leave it if they could, or set up a separatist state. True, the people of Nantucket, Martha's Vineyard, and the Elizabeth Islands are currently talking of seced-

ing from the Commonwealth of Massachusetts. But this has more to do with next summer's tourist season than with serious politics. And even as a game the islanders are not talking about independence from the United States. There is no serious unsatisfied nationalism or urge to separatism inside the United States. Hence it is difficult for Americans to appreciate how different things are in the Soviet Union.

The Soviet Union is not monolithic. It is not homogeneous. It is an empire in which the members of the largest ethnic group, the Great Russians, dominate a number of smaller ethnic groups. The best is for the Russians.

Is there potential disintegration in this system?

No one is sure of the answer. In Moscow they dismiss the idea as the wild dream of their enemies. But they also are quick to trample on the slightest sign of nationalistic dissidence in any part of their empire. And they cannot regard as friendly any remark by a President of the United States which might have the effect of stirring up unrest among any of the various nationalities.

Mr. Carter insists that there is no linkage between his concern for human rights and his interest in doing business with the Soviets about such things as weapons and trade. But it is difficult for the men in Moscow to regard what has been said already as being anything less than an assault upon the integrity of the Soviet state. It seems highly doubtful that much progress will be made in Soviet-American relations so long as the men of Moscow feel that Mr. Carter whether intentionally or not is giving them serious trouble at home. They are vulnerable.

OPEC AND OUR PETROLEUM POLICY

HON. J. KENNETH ROBINSON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. ROBINSON. Mr. Speaker, in undertaking to meet the challenge of developing a realistic national energy policy, it is essential that we recognize the complexity of the problem. Economics and foreign policy are intertwined, for example, in the petroleum aspect of policy development.

In this connection, I invite the attention of the House to an article by Prof. S. Fred Singer of the department of environmental sciences of the University of Virginia which appeared in the Wall Street Journal on February 18, 1977. Dr. Singer is a former Deputy Assistant Secretary of the Interior and also served as a Deputy Assistant Administrator of the Environmental Protection Agency.

The article follows:

[From the Wall Street Journal, Feb. 18, 1977]

THE MANY MYTHS ABOUT OPEC

(By S. Fred Singer)

After ignoring the Organization of Petroleum Exporting Countries for more than a decade, the oil-consuming nations have become abruptly aware of OPEC's existence. Unfortunately, however, our thinking about it is based on some ridiculous misconceptions. I cite some of the most currently popular ones:

(1) OPEC will collapse immediately—or at least soon after the breakup of the major

oil companies that are holding the cartel together. This mythical view is held by those who remember four years ago when the oil companies still owned concessions and decided how much to produce.

(2) OPEC can and will raise the price of oil with impunity, unless we make political concessions to the Arabs or to the Third World. This is the view held by a gaggle of oil company executives and by a pride of State Department Arabists. It is also the considered opinion of those who are seeking government subsidies for expensive new energy sources.

(3) The perennial optimists hold that the recent split between Saudi Arabia and the Emirates (who raised prices 5%) and the rest of OPEC (who raised them 10%) will destroy the cartel's cohesion and lead to its early demise.

(4) The pessimists believe that the Arab members of OPEC can successfully embargo oil shipments to the U.S.

Any attempt to behave according to these views will cost us dearly, financially or politically. Remember such grand misconceptions of 1974 as: (a) OPEC will drop the price of oil so as to discourage investments in alternate energy sources; or (b) OPEC will shift its bank deposits from country to country and cause a breakdown of the world financial system?

There is no danger of OPEC deliberately dropping its price. And if banks go broke, it will not be because of Arabs shifting deposits around, but because of the poor quality loans being made to Third World countries and increasingly to the Eastern bloc.

(5) But the real whopper is this: We must sell goods and arms to OPEC, especially to the Arabs, who have the largest oil income, otherwise we will be piling up a huge trade deficit. This viewpoint is assiduously nurtured by those who have something to sell to the Arabs. There is nothing wrong with a trade deficit between OPEC and the oil-consuming countries.

RETHINK THE OPEC IMAGE

Part of the difficulty of thinking clearly about OPEC probably has to do with its popular image. We would be much better off if we could think of them as Texans disguised in white robes, who want air-conditioned Cadillacs at home and their children in expensive colleges. Once we understand that their main objective is money, and that each country wants to maximize its take, then the behavior of OPEC appears quite rational.

Let's examine these misconceptions:

When people say the OPEC cartel will collapse, they usually mean the price will go down to some competitive level. But where? Production costs range from as low as 10 cents a marginal barrel on the Arabian peninsula up to perhaps \$10 for some U.S. wells. Even if production costs were uniformly low, the price level would still reflect the prospective exhaustion of oil. The best guess is that it would be in the neighborhood of \$5 to \$7 a barrel, roughly half of what it is now.

But as things stand the world price will not collapse with or without the multinational oil companies in the middle. The key is the excess production capacity ("overhang")—the difference between production capacity and actual production (which of course equals consumption).

For example, in June 1976, OPEC overhang was reasonably small, on the order of 21%. OPEC production was around 30 million barrels per day while capacity was about 38 mbd. Members of the cartel, especially the sparsely settled countries of the Arabian peninsula with large reserves and little financial need, were willing to cut back production in order to keep the cartel price at the desired level.

If the oil companies were removed from their traditional positions of access, nothing much would change after a certain ad-

justment period. If they were broken up into separate producing, refining and marketing companies, the consumer price might even go up. The cartel does not allocate to each member a certain production quota, and production quotas are not set or enforced by the major oil companies. The Arab production cutbacks of 1973, especially the Saudi production increase following the OPEC price split of December 1976, show that the producing countries are making the fundamental decisions.

OPEC cannot raise prices indefinitely without causing a great deal of damage, including to itself. If the price rises, world consumption will drop and supply will gradually increase. In order to match production and consumption—supply and demand—the Saudis would have to reduce production and be willing to drop to a very low level indeed, thus reducing their annual income. They may not be as willing to do this now as they were, say, two years ago. Their current budget requirements have risen, and they would lose income in the long run as the world develops alternatives to high-priced oil. A straw in the wind was the Saudi-Aramco agreement which set a minimum level to Saudi production of 6 mbd—compared to a June 1976 production of 8.5 mbd and a production capacity of 11.5 mbd.

(We can figure that a 10% price rise would reduce world demand, currently 57 mbd, by about 2.5% and raise supply by about 2%. If Saudi Arabia absorbs all of the cutbacks, namely 4.5% of 57 mbd, or 2.5 mbd, then this would place it just at the minimum production level of 6 mbd.)

An alternative method of raising the price would be if each country were willing to share a production cutback. But that is an unstable situation, as Professor Adelman of MIT has pointed out time and again. There would be a strong temptation to cheat, again dropping the effective price to the point where Saudi Arabia and the rest of the cartel core absorb all the production cutback.

The split in the price increase caught many people by surprise, but it only emphasizes the fundamental difference about prices which has existed since 1973. The real surprise was that Kuwait and Libya did not join Saudi Arabia, probably for political reasons. Of course Saudi Arabia was denounced by Iran as a tool of imperialism, and of course it replied that it took the action in order to obtain political concessions from the U.S., including pressure on Israel.

But it is in Saudi Arabia's economic self-interest to keep the price from rising rapidly. As the king-pin of the cartel core and a prudent monopolist, it adjusts production in order to set the price to maximize long-term income. Its optimum price pattern has been calculated by the MIT World Oil Project and shows a price rise slightly less than the rate of inflation for the next 10 years, followed by a more rapid rise. This explanation corresponds to Saudi Arabia's general behavior pattern over the last several years.

NO CONFESSION LIKELY

Since it would not do for the Saudis to admit that they are pursuing economic self-interest, they attempt to appear altruistic and conciliatory. It is encouraging that President Carter hasn't gone overboard in praising them. After all they could, if they wished, reduce the price of world oil by simply increasing production.

The Arabs cannot successfully embargo the U.S. There can be short-term interruptions and dislocations, even terrorist sabotage. But these would be taken care of by the normal reserves maintained by oil companies and by the strategic stockpile being set up by Washington, which will allow time for the making the necessary adjustments.

On the other hand, if the Arabs cut pro-

duction generally, then the embargo becomes world-wide and the U.S. would less likely be hurt than Western Europe and Japan, and certainly less than the LDC's and East Europe. The point is that a selective embargo of the U.S. is not feasible, and a general world-wide embargo politically unpalatable.

Since 1973, Arab oil producers have collected some \$200 billion and have invested or committed this money in industrialized countries, much of it in the U.S. It would be painful to rupture relations and risk having their assets frozen. Meanwhile the Arabs by investing in the West displace our own capital that can be used for other investments, thus creating more jobs.

Having said all this, perhaps I should point out what we should not do to OPEC. We should not threaten—neither a counter-embargo nor military intervention. Nor is moral outrage credible, in the absence of international antitrust law. We might as well acknowledge existence of the cartel, but we should not act to keep it in power.

What we should do is work hard on increasing the production overhang. We should rapidly develop oil production throughout the world, but preferably in the U.S., and we should substitute other fuels for oil. Above all, we should practice energy conservation. But conservation is difficult to achieve, largely because the cost of energy to consumers is still subsidized by legislation. In this respect Congress has acted as OPEC's best friend.

CONGRESSMAN MO UDALL EXPLORES THE DISAPPEARANCE OF INDEPENDENTLY OWNED NEWSPAPERS

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. KASTENMEIER. Mr. Speaker, our distinguished colleague from Arizona, Mo UDALL, addressed the National Press Club on April 5.

In his speech, Mo UDALL constantly referred to a single theme, competition, or the lack of it, in American economic life. He discussed the growing trend toward economic concentration and the absence of competition in our economy which is undercutting the very foundations of our free enterprise system. In particular, Congressman UDALL spoke about the increased concentration of ownership of our daily newspapers.

Mr. Speaker, I commend Mo UDALL for raising the issue of the disappearance of the independent daily publisher and for his effort to increase the public awareness to the disturbing implications this development has for the local community and American society. I urge my colleagues to read Mo UDALL's speech to the Press Club:

NO ENERGY IN THE EAST—NO WATER IN THE WEST. HOW DID IT HAPPEN?

(By Rep. Morris K. Udall)

INTRODUCTION

The Winter of 1977 is over for most Americans, and with Spring our thoughts turn to the future. But this Winter will remain in our memories a long time. A giant shift in the global storm track struck the East with the fiercest winter on record. The human suffering, the closed schools and factories, the

10-foot snowdrifts, the blizzards that closed down great cities—these are things we will not soon forget. And another thing we learned, and should not forget, is that our cleanest, best fuel, natural gas, is running out.

And out West, in nature's contrary way, that same great weather shift brought dry winds that blew dust over ruined wheatfields. Reservoirs were drawn down to record lows by a second year of severe drought. And in some of our western cities, people are getting a graphic lesson in the importance of water, as rationing forces changes in the way they live.

I want to talk about these things today. And I don't want to stretch my metaphors too far, but I'll also be talking about another kind of wind that blows no one no good—the gale of economic concentration that is blowing out independent business in this country. This winter it blew away the Tucson Daily Citizen, a newspaper that I often disagreed with but one that was a vital, locally-rooted part of my home city, and is now just one more "property" of a burgeoning national chain.

If there is one central theme—other than windiness—in what I have to say here today, it is competition: for water, for and in energy, for the channels of communication, for economic power.

WATER

First, let me talk about the great water resources war of 1977. Cynics—and I'm sure there aren't any in this room full of reporters—might call it the Battle of Pork Barrel Hill. The battle lines are drawn. As is the custom, the combatants describe the conflict in terms befitting a holy crusade:

On one side stand my environmentalist friends, sounding the charge against all those "wasteful, unneeded, unsafe dams which destroy basic environmental values and rob the taxpayers."

Across no man's land we find the pro-development people, who say, "You are talking about sensible plans to develop water resources for clean, cheap hydroelectric power, and for flood control, and to grow food and fiber." They call us to arms against "a few misguided people who do not understand the past, who stand against all progress, who care more about an endangered snapdragon than they do about people."

Of course both of these are stereotypes. But I suggest that we need a little more balance and common sense in looking at these questions. There have been proposals for dams and ditches that were not justified. We ought to identify them and stop them. But dam is a three letter word. It's not a swear word, not always, and where a water project can be of benefit we ought to remember the good that dams and reclamation programs can do.

In my own State, you could look at the Theodore Roosevelt Dam on the Salt River. It was built at the turn of the century for \$13 million, and those days that was a lot of pork for such a remote and empty territory. That dam made possible the city of Phoenix—the 25th biggest in the country. The million plus people who live and work and produce there (and one or two may even have come from Georgia) pay back that \$13 million investment to the Federal treasury every week. I have yet to hear serious arguments that Roosevelt Dam and the three right below it on that same river were mistakes.

A couple of decades later we built the California Aqueduct—a twin to the Central Arizona project of which you may have heard a whisper or two. It helped put fresh food on our plates in the winter, and primed the economic growth of that State. And for all the problems they may have in California, I still haven't heard anyone say we should call out the bulldozers and fill in that ditch.

There are six dams on the upper Missouri River. We are not sure what will happen there this spring and summer. For those who think that dam is a dirty word, let me give you a scenario for March to July that won't occur. First you have floods as the snow begins to melt. They would be hitting right about now, and they leave a path of destruction maybe all the way down to New Orleans. Farms, towns, bridges will wash away, dozens or hundreds of people are killed. Then come the dry months, and if it's the kind of year they are having in California there will be drought and lost crops and bankruptcy and maybe the beginnings of another Dust Bowl. That's not a fantasy. When some of us in this room were growing up that was an annual event. It takes careful environmental planning to prevent those disasters, but it also takes some sound ditch digging and dam building.

You could tell the same kind of story about the TVA, or the Columbia Basin, or the rivers in central California. Each of those projects had its bad points, its adverse impacts, and we've certainly learned from them and shouldn't repeat mistakes. But on balance, each came out far ahead on the benefit side.

Since coming to Congress, I've been for some dams and I've opposed some others. When the environmentalists convinced me that I was wrong, I admitted my mistake and turned against the notorious dams in the Grand Canyon.

Too, I believe that most of the best dam sites have been taken, that a lot of the best irrigation projects have already been built. I suspect I have sponsored and supported more miles for inclusion in the Wild and Scenic River system than maybe any other Member of Congress. My point is that we ought to look at both sides. Letting formulas and slogans take the place of careful thinking and hard analysis doesn't help the cause of conservation or of growth.

In my State, like most of the West, settlement and growth was only possible by harnessing the great rivers and pumping from the ground. My grandparents settled the town I grew up in, St. Johns, because it was a site where they could build a dam to water their stock and irrigate their fields.

Now, the great western rivers are dammed, and the wells are running dry. And yet we have more people coming in every day, and new competition for the water that remains.

In 1857, an Army lieutenant exploring the Colorado River—I don't know if he was from the Corps of Engineers—said in his report: "It seems intended by nature that the Colorado River along the greater portion of its lone and majestic way shall be forever unvisited and unmolested."

At the time he made that observation, he was camping very near the site of Hoover Dam. Well, none of us has ever been 100 percent right about the Colorado—or the Central Arizona project.

As you are well aware, we in the West are even now awaiting decisions of the President on 30 projects that mean many things to many people. Those decisions may well determine whether or not our States and communities can proceed with orderly growth or start anew.

The competition is bound to increase for whatever water is left in the wake of the "hit list" decisions.

In South Dakota, the Oahe Dam is built—but the distribution system may fall in the budget cut. What is to be done with that?

Perhaps the competition between agriculture and energy will come to a head there, for some feel that water behind the Oahe is just the right amount for massive coal operations including slurry and coal gasification.

This same conflict appears in the Upper Colorado Basin as well. Already the energy companies are buying up agricultural water

rights and eyeing with interest some alternative uses for the water allocated to those five Colorado and one Wyoming projects on the hit list.

It takes a lot of water to tame the desert—and it takes a lot of water to slurry coal, or turn shale into oil.

The competition for water has been fierce in the past, but may be even fiercer in the future.

Especially if the predictions of some scientists prove to be correct, that we are, in fact, at the end of a period of mild and stable climatic patterns.

Some years back, an Egyptian engineer visited various American dam sites in preparation for construction of the Aswan Dam. At the site of the Grand Coulee Dam, the visitor asked an official of the Bureau of Reclamation how long a record of flow the Bureau had at the site when the dam was constructed. "We had a pretty good record on the Columbia River of 38 years," the Bureau man said proudly. "What about your records on the Nile at Aswan?" The Egyptian replied, "There have been gauges at the site for 600 years." The Bureau man responded, "Congress didn't want to wait that long."

It's true. Americans have never been a very patient people, and we have been in a hurry to develop our water resources. We've been more wasteful than we should have, and it looks like our supply is going to be tougher. In that sense, it is rather like our energy situation. And, as I shall be discussing with regard to energy, a proper long term solution will require both a changing of our bad, careless habits and practices, and development to make full use of our remaining supply.

One step the President could take now, regardless of the outcome of this face-off over the 30 projects. We have given him the authority to reorganize the government. He wants properly to centralize energy planning. I hope he will also give priority to combining the many different offices that now handle bits and pieces of water resource planning and put them under one roof, for stronger accountability and greater protection from the influence of special interests.

ENERGY

Three years ago the people of this nation were treated to a shocking experience. They found that with the Arab oil embargo came inconvenience, gas lines, and discomfort. This brought soul-searching and an awakening to some new realities about this finite planet.

People began to become acquainted with the troubling notion that our 40-year binge of fantastic growth was based on the convergence of a few special circumstances:

An oil supply that seemed cheap and inexhaustible;

The expectation that if oil did run out, nuclear power would provide a cheap and inexhaustible substitute;

And a similar seeming abundance of water, minerals, timber, and other natural resources. During the time of the Arab embargo, the American people learned some basic lessons: that we are great wasters of energy; that the supplies are indeed finite, perhaps running out within a generation.

The attitudes of the people were receptive to change, to sacrifice. We had a spirit of unity. We began to pull together, as in wartime. Those attitudes were betrayed, however, when President Nixon declared the crisis over—and helped out the promise of "Project Independence" as the painless way out of the energy shortage.

The people relaxed, the sales of small cars dropped off, and the old wasteful habits returned.

We lost three precious years because of that failure of leadership. When our percentage of imported oil was 35, it hit 50 percent in this troubled winter.

Most of us know now that it isn't just oil that is running out. We are six months from another winter, and the natural gas we thought was in such short supply this time around can be in even shorter supply in the future.

But we have a second chance. All eyes are on President Carter and the calendar. We have circled April 20 as a crucial date.

If there is one thing that can be agreed on in this city of widely divergent opinion, it is that we need a national energy policy.

On this matter, only the President can put a focus on the debate. Only then can we get off dead center.

On April 21, we'll not have a kilowatt more than the day before, but we'll be better off because the Congress and the country have been on "hold" for years.

I don't know what is really in the President's April 20 package. We've been given the bits and pieces by trial balloon. As a matter of fact, the Washington Post and the New York Times seem to have been engaging in a kind of balloon race—one floats, the other shoots, then the other floats and this one shoots—much to the amusement of the White House, I am sure.

I can tell you, though, I'll be listening on the 20th, and I'll be applying a kind of five-part test of the program's key elements:

One, are there howls of protest, weeping and wailing? Unless the policy bites, and addresses the problem in terms of major change, it will not be what we need.

Two, does it avoid the Nixon/Ford mistake of assuming that the problem is largely one of more supplies—like the Project Independence pipe dream—or does it contain though mandatory conservation measures running all through the economy, including electrical generation, home heating and air conditioning, and especially automobiles? Automobiles are a special key to conservation success. One-half of our energy comes from burning oil and half of that is consumed by autos. If we can reduce—and I mean substantially reduce—the oil going into our autos, we can improve the balance of payments and begin to get on top of the problem.

Three—Will the President's policy lead to a cut in oil imports by April 20, 1978? Can we turn around the disastrous import trend—and quickly?

Four—And perhaps most importantly, does the policy squarely face the issue of competition in the energy industries? America has grown and prospered on competition. It is central to our system. But we are losing it every day as oil companies swallow coal companies and move in on uranium and geothermal. We seem to permit this in part because Mobil and others of the Seven Sisters brainwash us with the ill-founded notion that they can't—or won't—produce the new supplies we need unless we give them a continuing monopoly.

We in America are accustomed to expecting the big problems to be solved by equally big solutions like we talked of nuclear fission—and now fusion. In this energy problem, however, I have a feeling that the eventual solutions will come not from one grand answer, but a dozen component parts.

I think we'll see solar take five percent of the slack now—and maybe 15 percent later. We'll see coal, conservation, wind, and even firewood all take up a piece of the burden. We'll see the inventiveness of Americans come to our aid, if we can convince agencies like ERDA not to ignore ideas because they come from a backyard or basement instead of a multimillion dollar research lab. None of these will come to pass, though, unless we restore true competition to the energy industry. But there is an even more compelling reason why competition must be restored: no program can succeed without sacrifice, and a real change in the way Americans live

and travel and work. The single most formidable barrier to those changed attitudes, and the key to the real willingness to sacrifice, is the deep seated and pervasive feeling that we can't believe the oil companies, that they are ripping us off, that they have hidden capped gas wells—in short, that this crisis is not real—that it is a creature of the oil companies.

The one way—the only way—to break through that very real barrier is for a little sacrifice in Houston and on Wall Street to help us restore competition through both vertical and horizontal divestiture.

The reality of the matter is that Shell is not about to let its coal subsidiary undercut its oil sales in 1978—nor will it in 1988. The Exxon refineries are not about to sharpen their marketing pencils when they own their own gas stations. Solar devices are not going to be sold when they are owned by ARCO.

As many of you know, I have made this argument before all over the country—even in this very room. It is not going to go away—it is of primary concern and importance. I hope the President will see this and will lead accordingly. For my part, I intend to push toward this goal in a new, and attainable way, in the field of federally-owned fuel resources.

The American people have one piece of extraordinary good luck in this contest with the giant energy conglomerates—the majority of the remaining U.S. energy reserves are in the public domain, owned by the people. They own offshore oil, Alaskan oil and gas fields at Prudhoe and elsewhere, coal, oil shale, and gas and oil under Federal lands as well as much of the uranium and geothermal deposits.

I have introduced a bill by which the American people can say: "Maybe we can't break up the oil companies just yet this year, but we can decide who gets to develop our public energy reserves. And we will adopt a policy of competition which calls for leasing our reserves to independent oil and coal companies—to new companies who desire to enter the field and now will have that opportunity."

For this bill provides that beginning in 1980, no Federal leases or sales will be made to companies which are integrated energy conglomerates, or which engage in joint ventures with such conglomerates. It wouldn't force anyone into the disruptions they fear so vocally. It would simply say, in the public domain you play by our rules.

Passage of this bill would be an important step towards the restoration of competition so necessary to shaping an energy economy for our nation.

I am a product of the Congress. I think I know its strengths and its weaknesses. Regarding the upcoming energy message—may I give my colleagues some advice.

First, we will have differing reactions to that April 20 speech. Let us express them. But we owe the country some answers—some of them this year, some in 1978. Let us get on with this job and decide one way or another the disputes on gas deregulation, plutonium recycling, Alaskan gas routes, taxes on gasoline and auto sizes, and all the rest.

In fairness to them, the industries need to know what the rules are going to be for this giant which is coming in our national life as we make the adaptation from energy abundance and waste to shortage and thrift.

Second, let us spend as little time as possible on personnel struggles and jurisdictional fights about committee turf. In the House, I hope we will get on with Speaker O'Neill's energy committee. I had, and have, reservations about this additional layer of procedure. But the Speaker is our leader, and he has shown that he can produce, and I'm going to give his plan all the support I can.

There will be enough credit for all concerned if we produce results.

As Chairman of the House Interior Committee, I personally intend to push hard for action to speed up the decision-making process in the energy, water, and resource areas under my jurisdiction.

In the Congress there is no longer any excuse for inaction. We have a thirsty West and a cold and threatened East to guard. Our people are troubled and they deserve our best.

And the people are willing. The citizens of San Francisco and Northern California are changing their way of life with grace and a positive attitude that they are doing right. The people of Buffalo and the East survived unspeakable hardships with courage this past winter. All paid and are paying the price of nature—but they also know that something in this system can help them.

That is our job—and we must get on with it.

Now, if I may, a personal note.

Just a generation ago, nearly every American city had two or more daily newspapers. Almost every town and village had its weekly paper, home-owned and operated, each with its distinctive local flavor.

This was a healthy thing—a valuable source of news and opinion. The hometown editor was a key element in local politics, in planning, in a community's success.

After World War II a trend began—a trend towards single paper cities, and the acquisition of small town papers by regional chains, or corporations.

Today, of the 1,500 cities with daily papers—97.5% have no local daily newspaper competition. Another disturbing fact, 71 percent of all the daily newspaper circulation is controlled by multiple ownership publishers.

This trend signifies a very real loss to American society—the publisher with roots in the community.

That hometown publisher cared about the profit and loss statement, to be sure. But that publisher carried a passion for the good of the community absent in the corporate board rooms of the big chains.

In my hometown, the Tucson Daily Citizen, a good, solid, conservative daily owned for years by the Small family—a family of renowned civic-mindedness and accomplishments—was sold a few months ago to the Gannett chain.

I've nothing against Gannett. They are very successful, they own 73 newspapers, they are based in Rochester, New York, and I'm sure their executives love their wives and children and don't mistreat their pets—but still, I'm going to miss that local ownership at the Citizen. The old owners will remain in charge for a while, but when this generation passes even that vestige of independence will be gone.

Let me make something quite clear. I do not condemn Gannett for adding to their long list of acquisitions. It is entirely lawful and I suppose it is quite profitable for the buyer as well as the seller.

What does bother me is that there is an increasingly prevalent pattern here that has disturbing social implications.

I think everyone in this room is acquainted with my continuing interest in warning against the acceleration of bigness—of the stifling effect concentration has on innovation and imagination in basic industry.

Concentration is 200 corporations controlling two-thirds of all the manufacturing assets in this country.

Concentration is three companies selling 82 percent of our cold breakfast cereal.

Concentration is four giant corporations selling 70 percent of our dairy products.

Concentration is one company selling 90 percent of our canned soup.

And, concentration is 25 newspaper chains controlling more than half of the daily newspaper circulation of the nation.

American society has succumbed to chain food stores without a whimper. We buy chain store drugs with perhaps just a fleeting memory of the corner drug store and the soda fountain. Our autos use chain store gas, the consumer programmed into the wisdom of pumping his own and leaving the oil unchecked. And now, the chain store news is upon us.

I dread the day all newspapers look and read alike, when there will be less difference in daily newspapers than between the Big Mac and the Whopper—and less flavor.

I seriously worry about the absence of local publishers and editors with real roots in the community. A leader whose concern goes beyond advertising lineage and newsprint costs.

If the trend towards concentration goes on so, too, will the chance that we'll lose that independent spirit in the community who had the power and sometimes the disposition to blow the whistle on the politicians and the promoters—who was unafraid of the high and the mighty.

I recognize that talk of regulation of newspapers is an area of special caution because of the First Amendment and the incompatibility of government control and the free press. But the business of publishing is also the business of selling advertising, which no one has contended is exempt from antitrust laws. For it is true that one can drive out competition and do great damage to consumers with a newspaper cartel even as with an oil cartel.

I am not asking that newspaper chains be outlawed, or publishers prosecuted, or even that coercive federal legislation be enacted. My recommendations are more modest—and they are two:

... The time has come for editors and publishers to stop making excuses for the dangerous trend towards corporate news, or wringing their hands about its inevitability. Its dimensions should be faced and discussed. Does technology preclude competition? Is there a shortage of qualified employees that warrants concentration? Editors and journalists should be thinking and speaking out on this issue. We should be finding out what pressures and forces are killing the independent publishers as an institution—and what can be done about it.

... Second, while I'm not an enthusiast for study commissions, the whole area of economic concentration could use one. In the last Congress I sponsored a bill which provides for an industry-by-industry review of the critical, basic industries. When I introduced that bill I noted steel, autos, drugs, and the like as subjects for study.

I am going to reintroduce that bill today—and I am adding publishing and communications to the list.

The Commission would take three years looking over those industries to see how they are performing, considering such criteria as efficiency, innovation, social impact, price and profit. For those that are performing well, it may make little difference whether there are two competitors or 200, though in case of doubt we should favor the latter. For those not performing well, the Commission's analysis would show what particular factors contribute to the problem and would prescribe a set of remedies tailored to the specific conditions.

These remedies will probably include the tax code, with its unintentional bias toward centralization and conglomerate. Perhaps we will need tougher antitrust laws in some cases, legislated divestiture in others, while in others the conventional suit under present laws would be enough. Exemptions from antitrust law may also need reexamination, to see if they are meeting the intended pur-

pose. In some manufacturing fields, we may need tax incentives or temporary direct subsidies to new entrants, while in others simple changes in federal procurement policies may help open up the market. We ought to consider every kind of action that might help.

My concern about today's trend toward concentration within the publishing and communications industry is not founded on a fear that the big publishers are like William Randolph Hearst, Sr., or Col. McCormick in seeking personal political power.

No, today's publishers, with a few notable exceptions like the man who owns the Manchester Union-Leader, are fair with their coverage and confine their personal political opinions and preferences to the editorial pages.

Today, what the titans of the chains want is profits—not power—just money.

I fear that the quest for profits and higher dividends for their growing list of stockholders will transcend their responsibility to maintain an independent and dedicated influence in the community.

As the diversity of the American newspaper is lost—so is the diversity of America. We can ill afford that loss.

LONG-TERM CARE: LONG-TERM PROBLEM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. FRASER. Mr. Speaker, the costs and inadequacy of our present system of long-term care for the elderly compel us to examine options to institutionalization. Nursing home care is the form of long-term care endorsed at the Federal level with over roughly 96 percent of all Federal long-term care dollars spent on nursing home reimbursements.

The March 1977 Policy Edition of the Washington Report, published by the American Public Welfare Association includes an analysis of the problems involved in controlling costs while providing quality long-term care. I submit the analysis here as a conceptual framework useful to us as we develop programs to meet the long-term care needs of our Nation's elderly:

LONG-TERM CARE: LONG-TERM PROBLEM

One of the least understood and most portentous social welfare issues facing all levels of government today is "long-term care." The phrase itself is imprecise and generally ill-defined; no single accepted definition has developed. In recent years newspaper revelations and Congressional investigators have focused critical, often sensational, attention upon nursing homes for the aged, so that in the public's view these have come to epitomize the "problem" of long-term care. In fact, most health and welfare professionals see nursing homes as but one component in a constellation of facilities and services designed to sustain ill or disabled individuals, or fragile elderly persons, on a relatively permanent basis, over a long period of time.¹

Long-term care facilities may include hospitals, skilled-nursing and intermediate-care facilities, or boarding homes; long-term care can also be provided in an individual's own home. Services may range in content from health, to home-delivered meals, to transportation and socialization services. The

level of care may range from the most intensive professional service to a modicum of professional assistance. While the elderly have, in proportion to other age groups, a greater need for long-term care, individuals of any age who are seriously disabled, either mentally or physically, may require such assistance. In all events, long-term care implies the need for some amount of care and assistance (apart from cash) that the individual cannot provide for himself.

The issues include the disproportionate use of health (particularly institutional) services, the quality and costs of care, appropriate placement, fragmentation of services, and the development and coverage of necessary facilities and services. Many of the problems associated with long-term care arose because of the pervasive influence of public funding on the development and delivery of current services.

GROWTH AND RELIANCE ON HEALTH SERVICES

The growing need and demand for publicly funded long-term care services is a relatively recent phenomenon. In the early part of the 20th century, the number of vulnerable elderly persons was relatively small in terms of the total population, and the services required for these and other groups needing continuous care were often provided by the family, in the home. With the exception of large state institutions for the mentally ill or retarded, few public facilities existed to care for persons unable to function without some support and assistance.

The enactment of the Social Security Act, including the Old Age Assistance (OAA) program, in 1935, altered this situation dramatically. For the first time, aged individuals received unrestricted, federally assisted cash payments which could be used to finance care outside the home. Many selected private institutions, largely boarding and rest homes, as permanent residences. Thus public dollars began to flow to privately owned and operated facilities. With the proportionate number of aged persons growing, and with heightened public social consciousness and changing patterns for living arrangements, the demand for such services increased. In addition, with increasing life expectancy, individuals afflicted by chronic and disabling conditions required more sophisticated care. For a time hospitals filled this demand, but their resources were limited. Increasingly aged persons turned to private facilities that offered not only room and board, as before, but also a growing array of health services. These were the forerunners of the modern nursing home.

Two developments further enhanced the role and importance of public dollars in institutional care. Nursing homes were accepted as vendors of medical care for OAA recipients in 1950 and began receiving direct money payments from the Federal and State governments. In 1960, the Medical Assistance for the Aged (MAA) program, which greatly expanded these payments, was adopted. By 1965, fully 60 percent of all nursing home patients were supported under MAA and OAA (and beneficiaries residing in these homes accounted for some 37 percent of all OAA outlays). Gradually nursing homes became the most viable option for persons requiring long-term maintenance care, largely because of the continuously growing support of public moneys.

In 1965, the Medicare and Medicaid programs were incorporated into the Social Security Act. Medicare replaced the MAA program and provided federally funded health services to virtually all Special Security recipients over 65 years of age; Medicaid provided similar funds for indigent persons, many of whom were elderly. Both programs accepted nursing homes as vendors of medical care. This policy had two effects; it greatly enlarged the amount of public dollars flowing into nursing homes, and it channeled

these funds through health financing programs. Thus long-term care became almost synonymous with institutionally based, health-oriented services. As a result, other support services and alternative forms of care received little attention and funding, unless they were distinctly related to health services.² Current annual public and private expenditures for nursing homes are over \$8 billion, and one third of Medicaid expenditures go for nursing home care. Support for other long-term care services (through Title XX and the Older Americans Act) is meager in comparison.

COSTS AND QUALITY OF CARE

The growth in public expenditures for long-term care, especially institutional services, is a source of increasing concern. Expenditures for nursing home services are the fastest growing component of the Medicaid program. Another very troublesome aspect of nursing home costs is the appropriations of these expenditures. Studies have indicated that up to 50 percent of persons in nursing homes could be more effectively cared for at home or in a less specialized facility than a nursing home. Many persons believe that community-based services provided in the home would be less costly and of far greater assistance to individuals in need. In addition, funds released from unnecessary institutional care could be used to support these other, perhaps more appropriate, services.

Simultaneous with cost increases, serious questions concerning the quality of services being financed have been raised. Numerous investigations and reports have highlighted the inadequacies of nursing home care. The quality of life within such facilities, which are largely supported by public funds, is increasingly found to be substandard and lacking in dignity.

No less problematic an issue is the relationship between costs and quality. The quality of any personal service has several dimensions, many of which are difficult to measure. Federal and state regulations have focused on those purely objective standards that are relatively easy to quantify (e.g., building and staffing requirements). Few efforts have been directed at evaluating the end product of long-term care—whether provided by institutions or by community-based service organizations.³ In most cases it seems clear that efforts to enhance the quality of care, say by providing more counseling services, are likely to raise costs. Thus policymakers are placed in the position of pursuing two less-than-compatible objectives: containing costs and improving quality. This is a particularly painful dilemma when limited public funds are involved. The public desires programs of high quality that are accountable to government; the public also exhibits a growing resistance to increased government expenditures, which are at least partially necessary to sustain and improve quality.

FRAGMENTATION OF SERVICES

The reliance on institutional health services, in relative isolation from other support services, points out the fragmentation and lack of coordination among the publicly funded programs that do exist. At the local delivery level, individuals are frequently shunted from one agency to another, with no comprehensive and coordinated program of services provided. Effective coordination among providers—physicians, hospitals, social service agencies—for a continuum of care is almost nonexistent. In appropriate placement in a nursing home may often result from a simple lack of knowledge that other services are available.

Fragmentation also exists at the state level. Agencies that administer funding and delivery at the local level—health, welfare, mental health, and social services agencies—do not coordinate their own activities. A state may receive financial support from several

Footnotes at end of article.

Federal programs, each administered independently. This uncoordinated system invites duplication, wasted funds, inefficient delivery, and huge gaps in service.

Fragmentation begins and flourishes in near perfect form at the Federal level of administration for long-term care programs. Requirements and definitions are inconsistent; eligibility and need criteria vary considerably; standards for providers differ; continuity, communication, and coordination among Federal programs is lacking. No one office, bureau, or division within HEW has authority over programs in long-term care, and there is no articulated, unified Federal policy in this area. Standards for nursing homes, for example, are promulgated in three different agencies. Means-tested programs utilize differing levels of income. It is no wonder, then, that state and local governments faced with implementing these requirements experience so much frustration and achieve such imperfect results.

Lack of intergovernmental policy planning for long-term care has created conflicts in program goals. For example, in recent years, states have undertaken major deinstitutionalization efforts. In particular, they have stressed placement of mentally ill and retarded residents in the community as a means of diminishing the use of large, often criticized, state facilities. Recently, however, institutions for the mentally retarded became eligible for Medicaid reimbursement, as long as they meet certain standards. Because many state institutions cannot satisfy these requirements, states have been faced with upgrading institutions to take advantage of new Medicaid dollars while, at the same time, deemphasizing the role of these institutions in the care of retarded persons. The flow of Federal dollars through unanticipated channels thus tends to distort the states' original program goals.⁴

DEVELOPMENT OF RESOURCES

The relatively continuous supply of public funds for institutional services has assured a growing supply of nursing home beds; the number doubled from 1965 to 1974. The availability of other long-term care services is much more limited. Home health services, for example, are in serious undersupply, and most advocates believe they are underfunded as well. This state of affairs is also largely attributed to the restrictions on coverage of these services under publicly funded programs, particularly Medicare and Medicaid. Both programs (although Medicaid less than Medicare) require prospective recipients of home health care to satisfy numerous conditions before services can be authorized.⁵

In addition, the home health agencies providing the services must satisfy restrictive requirements before they can serve Medicaid and Medicare beneficiaries. Few other funds are available at the present time to develop an adequate array of necessary services. Thus, the principal sources of public dollars (Medicare and Medicaid) have seriously hampered the development of adequate home based services by skewing financial support to institutionally based care. Furthermore, the variety of institutional services is affected by Medicaid and Medicare: only those institutions that satisfy complex requirements can receive Medicare and Medicaid reimbursement. Facilities that supply room, board, and only a modicum of health services (such as some rest homes and boarding houses) are excluded from program participation, even though they may supply services perfectly adequate for some populations.⁶ Even the supply of institutional services is not sufficiently diverse to satisfy the range of needs for long-term care.

CONCLUSION

As indicated by this brief overview, the issues surrounding long-term care are complex. A variety of alternatives has been pro-

posed to deal with them. These will be explored in future editions of the W-R.

NOTES AND REFERENCES

¹ Institutional care over long periods of time for neglected, abandoned, or orphaned children, though an important aspect of the "substitute" care debate, will not be dealt with here. Foster care is distinct from long-term care in that it is intended to provide a temporary substitute for some other, more appropriate form of care and is therefore not included in this discussion.

² For example, home health services are also covered by Medicaid and Medicare, but only if the individual has been released from a hospital and requires some form of health service.

³ Expansion of home health services may create acute difficulties in quality assurance—largely because no standards exist and ongoing monitoring is nearly impossible to achieve.

⁴ An interesting twist to this problem is the occurrence of inappropriate deinstitutionalization. Some states have placed persons in the community who should have remained institutionalized. In some cases they have transferred persons to nursing homes to glean Medicaid payments when state institutions were not qualified to do so.

⁵ For example, they must provide skilled nursing services in addition to other acceptable therapy. Agencies that provide only one service are excluded.

⁶ Recipients of SSI may reside in some of these facilities and still receive cash assistance. Therefore, some public funds are being channeled to these institutions. However, most experts agree that SSI payments are insufficient to cover the full cost of services and that supplemental payments should be made by Medicaid and Medicare for those who qualify.

COUNTERPRODUCTIVE NUCLEAR PROLIFERATION POLICIES

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. LUJAN. Mr. Speaker, the nuclear power policy decisions announced by the President on April 7 were, in my view, ill-advised and counterproductive to the attainment of our Nation's domestic and international goals in the nuclear energy field. These policy decisions, which restricted certain civilian power activities in the United States, with the intent of inducing other nations to impose the same restrictions on nuclear power development on themselves, have, contrary to their intended purpose, strengthened the resolve of other nations to proceed independently in all fields of nuclear power development. The intended purpose behind these policy decisions of the administration, which was to inhibit the proliferation of nuclear weapons, is sound but the route proposed does not lead in that direction. Instead of cooperating with nations which have agreed to forego the development of nuclear weapons to assist them in attaining the benefits of the peaceful uses of nuclear energy, as provided for in the Nonproliferation Treaty, we are, in effect, reneging on our promises. We are thereby foregoing the route which provides a meaningful opportunity to advance the

goals of limiting the proliferation of nuclear weapons.

Apparently it was thought that the United States had a monopoly position in certain areas of nuclear technology and this led to the belief that if we stopped some of our activities, these activities would be stopped by others. Of course, we do not have a monopoly, if we ever did, and the nuclear age is here. As one expert in the field of nuclear energy put it:

Having yielded what it was impossible to keep, the United States is now trying to keep what it does not have.

A factor that is specially disturbing is that the administration apparently ignored available advice from nations engaged in the development of the peaceful atom to the effect that our decision to limit such activities as the reprocessing and use of nuclear fuels would not be followed. In other words, it was known in advance that the objective could not be attained but we still took the step which both restricted our activities and was counterproductive to our efforts to limit the proliferation of nuclear weapons. Attitudes as expressed by the 41 nations which met in Iran last week to discuss the international development of nuclear energy, questioning our compliance with the Nonproliferation Treaty, certainly do not contribute to our credibility in the world community either. I might add that a statement issued by the conference group which met in Iran last week specifically cites International Atomic Energy Agency Director General Sigvard Eklund's statement that the policy decision announced by the President of the United States on April 7 is a unilateral violation of article IV of the Nonproliferation Treaty. Article IV concerns technological assistance to non-nuclear weapons nations in the field of peaceful uses of nuclear energy.

What must be done as soon as possible to limit the harm that has been done is to renounce the April 7 policy and get back on the track to carry out the purposes of the Nonproliferation Treaty.

One of the soundest overall policies which we should follow to advance both our domestic and foreign nuclear power objectives was contained in a recent letter my friend MEL PRICE wrote to the State Department. MEL PRICE has been intimately associated with nuclear energy longer than anyone else in the Congress and, therefore, can speak authoritatively on this matter. He made a copy of his letter available to the House Science and Technology Committee of which I am a member. I made it a part of the record of hearings we held on March 31. Since the record of those hearings will not be available for a few weeks and since MEL has valuable advice on a number of important current matters bearing on energy in the letter, I would like to include his letter at the conclusion of my remarks for the information of all of my colleagues:

COMMITTEE ON ARMED SERVICES,
Washington, D.C., February 22, 1977.

Mr. JOSEPH S. NYE,
Deputy to the Under Secretary of State for
Security Assistance, Washington, D.C.

DEAR Mr. NYE: This is in reply to your letter of February 7 asking for my suggestions

and ideas regarding the problem of proliferating nuclear weapon capability.

As part of my Congressional duties, I have been associated with this country's nuclear energy programs and activities for over 30 years. My experience embraces the entire historical span of the development, use and control of atomic energy for both military and civilian purposes, including the regulatory side inherited by the Nuclear Regulatory Commission under the Energy Reorganization Act of 1974.

I want to give you the gist of my thoughts in as few words as I can manage, so I will proceed directly with a brief candid account of the high points of my views:

(1) The proliferation dilemma involves complex considerations. It must not be dealt with as a one-dimensional problem.

Among thinkers, only those who want to halt civilian nuclear power understandably argue that the proliferation situation can be easily solved. They describe the problem as an immediate stark peril of catastrophic magnitude. The solution, they say, would be an embargo on all exports related to nuclear power. Alternatively, they advocate the interposition of a Governmental regime of proliferating procedures and export approval hurdles calculated to discourage knowledgeable foreign customers at the very outset, and the less wary at one of the many despair points in the time-wasting system for securing final official sanction. That the cessation of U.S. exports would not alleviate the proliferation problem, and indeed would worsen it, is not a deterring factor because the underlying intention of our nuclear opponents is to utilize every problem in a way that best serves their primary aim of weakening our domestic nuclear power industry and capabilities.

(2) Proliferation is a chronic illness. The best and most extensively applied treatment that can be arranged will not effect a complete cure. It will only gain time and a large measure of relative protection and peace of mind.

For two decades following the baptism of the peaceful atom, while the development and use of nuclear energy for medical, agricultural, industrial and other purposes flourished at home and abroad, nuclear weapon capability spread very slowly. During that period, two unique accomplishments were attained: The International Atomic Energy Agency was established in 1957; the Treaty on the Non-Proliferation of Nuclear Weapons went into force in 1970. It is a great source of pride to me that U.S. initiative (including my hand and mind) played a large role in the creation of these major multinational structures for safeguarding the peaceful atom. The magnitude and value of these accomplishments are immense. In regard to the NPT, consider that to date 101 countries—98 of them nonweapon states—have agreed to limit their sovereign prerogatives in the most sensitive of areas; 13 additional nations have signed but not yet ratified this extraordinary treaty.

Worry about weapon proliferation suddenly intensified in 1974 when India exploded a nuclear device labeled peaceful but indistinguishable from a non-peaceful detonation. Then West Germany agreed to supply Brazil with a complete fuel cycle capability, and South Korea, Pakistan and Iran tried to buy reprocessing technology. Proliferation concern was further stimulated by developments involving Egypt, Israel, Taiwan, Argentina and other countries. South Africa's nuclear potential is very much in the news these days. These international events within the past three years were preceded by a suddenly imposed awareness that the availability and price of oil were no longer dependable, and that alternative energy sources were imperative. The result is that today's greater potential for

weapon proliferation coincides with, and will be aggravated by, an enlarging worldwide market for nuclear power.

(3) The U.S. is still a leader among the have-and-can-sell countries, and, as an active international participant, can exert a fair degree of influence toward common agreement on a reasonable system of safeguard standards and requirements as a condition of the sale of nuclear power plants and fuels.

The U.S. is not in a position to dictate to other supplier countries that they require, as conditions of their sales, that buyers agree to the safeguard measures we would prescribe. Nor can we unilaterally alleviate the proliferation problem by attempting to impose our own set of safeguard conditions on prospective buyers without regard to the sorts of conditions employed by other supplier nations. Customers can choose suppliers.

This situation extends to enrichment technology, reprocessing, and the development and use of breeder reactors. The U.S. simply does not have monopolistic control. If we want to be in a strong position to influence and attain general acceptance of improved anti-proliferation safeguards we will have to remain a leader and an active international participant in all of these areas.

Historically, the U.S. never had a monopoly on nuclear technology. We were the first to develop nuclear weapons and for many years were the only supplier of enrichment services for civilian reactors. Though our enrichment technology has essentially remained classified, inevitably other countries have developed the means for commercial enrichment (the U.S.S.R., France, and as partners, the U.K., the Netherlands and West Germany); within the next several years at least five additional countries will be in the field.

The U.S. has not yet decided whether to permit commercial reprocessing, but France has an operating facility for such purpose. The U.K. has temporarily closed down a large commercial plant for upgrading. Eleven other countries have laboratory, pilot, or near commercial reprocessing facilities.

Five countries are now exporting light water reactors, and in several years they will probably be joined by suppliers in six more countries. Canada exports the heavy water reactor. France is presently the world leader in the development of the fast breeder.

There's no need to go on with the details. The general picture and outlook are clear.

(4) The need for an improved international anti-proliferation program is real. But apparently events in the last three years which have highlighted this need are viewed with much greater unease by opinion makers in this country than in other nations. The U.S. hue and cry has not been strongly echoed abroad. Additionally, the hyperbole in some of the U.S. expressions of alarm, the contents of several of the legislative measures proposed in the Congress, and the delays and confusion in nuclear export licensing have undermined confidence in U.S. judgment and in its role as a reliable supplier; combined with our failure to assure enrichment capacity for foreign customers, the total adverse effect has been considerable. Consequently, the U.S. anti-proliferation position, to be persuasive to both suppliers and customers, must be completely sound and practical.

(5) In my judgment, a sound and practical anti-proliferation program should take advantage of and build upon the protective structures and measures already in place. They are familiar and have unquestioned value.

The IAEA, for example, should be strengthened, not interfered with. The spirit of the NPT should be vigorously promoted, and a renewed effort mounted to fulfill the com-

pensating pledges of the weapon states to the non-weapon parties.

The protective features of the Atomic Energy Act should be maintained and reexamined for possible strengthening. I refer to such features as the Restricted Data system and the Section 123 export bridge. The President's Constitutional prerogatives should not be encroached upon nor his role as Executive leader diminished.

The Nuclear Regulatory Commission's ambiguous position should be clarified; a careful review of the legislative history of the Energy Reorganization Act of 1974 will disclose that the NRC was not intended to have any greater licensing and related regulatory jurisdiction in relation to the export area than the AEC's regulatory side was responsible for when it was elevated to independent agency status. Before activities outside of the geographical bounds of the U.S. (as defined in the Atomic Energy Act) were with few exceptions, beyond the grasp of the regulatory regime; the developmental side of the AEC (now in ERDA), and, depending on the situation involved, the President, the State Department, and the DOD, controlled the decisionmaking process, subject in some instances to Congressional review. Regulation was applicable only to such aspects of exports as involved radiological health and safety, security, and environmental considerations affecting U.S. territory—but not proliferation and other problems abroad. In the confusion of rebirth during the period of raising U.S. concern over the proliferation problem, it became politically expedient for NRC to inject itself in this troublesome area and to attempt to acquire related knowledge and competence already possessed by other U.S. agencies.

(6) As important as the proliferation problem is, in any sensible ranking of priorities the formulation and execution of our domestic energy program must be placed well in advance of the proliferation concern, and treated as a discrete as well as first-rank objective. Separately, we should consider what impact on the proliferation problem related exports might have, but no judgments in this separate area should interfere with decisions and actions discretely addressed to our domestic needs. These propositions are too obvious to mention, but I restate the basic law of self-preservation because I have detected a tendency in some quarters to assume that all domestic policy decisions that would support the development or use of nuclear power-related materials, facilities or processes, in light of this country's own energy situation, must be contemporaneously evaluated and adjusted in relation to the anti-proliferation objective. Too often, for example, I read statements these days by officials or "experts" to the effect that the U.S. cannot risk developing the breeder or licensing reprocessing because of the international proliferation problem. Such Alice-In-Wonderland thinking is dead wrong. Not only does it interfere with our own critical energy quest, but, as I have pointed out above, it so happens that our best hope of alleviating the proliferation problem may well rest with the magnitude of our international influence, which in turn depends on the extent of our technological capabilities as well as our willingness to participate in the have-and-can sell area.

It is possible that the means of carrying out a particular domestic energy decision may sometimes appropriately be selected in conjunction with anti-proliferation considerations. For example, it is possible that a domestically oriented decision to build a reprocessing facility may, for anti-proliferation policy reasons, be implemented in conjunction with a national decision that such a facility be built and utilized under a multi-national arrangement. But in such case—and this is the point I emphasize—

the principle of discrete consideration, ranking priority, and separate judgment in relation to our own energy needs must not be compromised not even in regard to the means to be employed; only where the means of gaining our domestic objectives happen to be consistent with a preferred method for dealing with the proliferation question should the marriage of convenience take place.

Finally, it is possible that for anti-proliferation reasons alone our national policy might support the development or use of certain facilities or services. In such case the principle of the predominating importance of our domestic energy program must be maintained.

(7) I must say a word about the desire for nuclear power throughout the world because if it could be extinguished the proliferation problem could stabilize. The key difficulty confronting nuclear power foes is the formidable task of trying to convince a majority of the people, or the totalitarian rulers, in the various countries that their reasonable hope for an assured supply of safe, reliable energy can be satisfied without nuclear power. Is it realistic to expect that this proposition can be sold? The world is in an energy crunch right now and people everywhere are very concerned about it. The high cost of oil is creating massive balance of payments problems and other serious discomfort for most nations. The developing countries have been very severely affected. Most foreign countries do not have extensive coal reserves like the United States or possess hydro or geothermal resources that can supply a portion of their energy requirements. For many countries the choice must be imported oil at whatever price or lower-cost nuclear power. Can they be beguiled by nuclear opponents into waiting for promised breakthroughs in solar energy, fusion, and other new or advanced energy forms? I think not, though I hasten to add that when it comes to the search for new energy sources my long record fully testifies to my unflagging support of all promising R&D missions. But pending the great improvements that I hope and pray the future will bring, I, and I think most of the people in the world, know the difference between something in hand and promises, promises.

With nuclear power comes reprocessing. For most foreign countries the energy content of uranium and plutonium represents a significant addition to their domestic energy resources. They may well tend to view the value of this recoverable energy in terms of its credit benefit in the allocation of scarce foreign exchange for imports, rather than as a percent of the total cost of power. In any event the economic impact is important. In an energy starved world where conservation is imperative, we should not expect that source of fuel will be wasted.

(8) As apparent from the foregoing remarks, I recommend striving for an improved anti-proliferation program that includes the following elements:

(a) Realistic acceptance of the worldwide prospects for nuclear power growth.

(b) International participation by the U.S. in civilian nuclear power activities.

(c) Strengthening IAEA.

(d) Working out a safeguards system of standards and procedures commonly acceptable to supplier countries as a condition of sales, the agreement to address first the current situation, and within a few years the outlook at that time, with flexibility built in for periodic reappraisals and revisions.

(e) Inclusion in the cooperative understanding of practical restrictions on availability of enrichment capability and reprocessing facilities, on dissemination of information of a Restricted Data nature and on fabrication of fuel and shipment and storage of fuel and reactor-produced materials.

(f) Exploring the possibility of building and operating reprocessing and related facilities under multi-national auspices.

(g) In collaboration with other countries, conducting a continuing R. & D. program to seek improved chemical and other technological means of increasing the difficulty of diverting or stealing sensitive materials for weapon purposes.

(h) In collaboration with other countries, improving the means of storing and disposing of radioactive wastes, of protecting facilities against sabotage, and of minimizing the MUF problem.

(i) Inclusion in the cooperative understanding of the continuing general observation of activities in kindred fields (research reactors, etc.) so as to exclude from closer control activities and facilities that have no practical impact on the proliferation watch, and to include those that do.

(j) Reforming and simplifying the U.S. export approval route, including:

(1) Assuring consistency with the safeguards system agreed to multi-nationally.

(2) Adherence to the Restricted Data system and Section 123 requirements in the Atomic Energy Act, as they may be modified to enlarge the President's role or Congressional oversight.

(3) Eliminating any NRC role in relation to circumstances, implications or consequences outside U.S. territory, except possibly to render advice to Executive agencies on comparable safeguards in the U.S.

We are dealing with an issue that will not necessarily be diminished by dint of U.S. sincerity, alacrity, or high motivation. Gulliver meant well when he decided to use the only gusher available to him to extinguish the conflagration in the palace of the Lilliputian empress; he was sincerely convinced that the thimbles of water with which the Lilliputians were fighting the blaze would be ineffectual. Instead of the commendation he expected for extinguishing the fire in three minutes, he earned the empress' enmity because her quarters were permanently polluted and unusable. I have often thought of the good lesson in that tale.

Sincerely,

MELVIN PRICE,
Chairman.

MICHEL QUESTIONNAIRE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. MICHEL. Mr. Speaker, in mid-February of this year I sent out a questionnaire to 177,000 households in the 18th Congressional District of Illinois, a district it is my privilege to represent in Congress. I am pleased to tell you that over 20,000 constituents responded to the questionnaire—more than ever before—and many of them included additional remarks concerning current issues. This survey is one of the major sources of public opinions available to us, and I want to share it with you in order to give you some idea of what the people of the 18th District are thinking about major problems.

First, however, I want to bring to your attention the fact that on one crucial—and current—issue constituent sentiment was almost evenly divided. I refer to the question of decontrol of natural gas. When asked "Should we permanently decontrol the price of natural gas to get a more abundant supply?" 51.5 percent

said "no" and 43.8 percent said "yes," 4.7 percent undecided. On every other issue, the decisions were much more clear cut. I believe the closeness of the result on the decontrol question reflects the feelings about the complex and difficult issues surrounding that question in the minds of constituents of the 18th District and, indeed, throughout the Nation.

At this time I would like to place in the RECORD a complete listing of the questionnaire results for the entire district:

Did President Carter do the right thing in pardoning all draft evaders?

Yes	18.9
No	78.9
No answer	2.2

Do you favor President Carter's program to stimulate the economy?

Yes	36.9
No	56.6
No answer	6.5

Do you favor increasing Federal expenditures for public service jobs from \$2.5 to \$5 billion?

Yes	18.5
No	78.3
No answer	3.3

Would you spend any rebate on your 1976 taxes immediately?

Yes	57.4
No	40.1
No answer	2.5

Do you favor cutting defense spending by \$5 to \$7 billion?

Yes	31.1
No	65.2
No answer	3.7

Should members of the Armed Forces be permitted to organize a union?

Yes	4.6
No	93.6
No answer	1.8

Should the Federal Government pay for abortions for those who cannot afford them?

Yes	29.9
No	68.0
No answer	2.2

Should we permanently decontrol the price of natural gas to get a more abundant supply?

Yes	43.8
No	51.5
No answer	4.7

Should we relax the restrictions on the burning of coal to help conserve oil and gas?

Yes	83.6
No	14.2
No answer	2.2

Do you favor more Federal tax dollars being spent on education?

Yes	36.9
No	60.4
No answer	2.7

Should the Federal Government set goals and timetables for employers to hire minorities?

Yes	23.8
No	72.6
No answer	3.6

Should the Federal Government get back in the business of purchasing and storing grain to build up a reserve?

Yes	36.6
No	59.3
No answer	4.1

NATIONAL LABOR RELATIONS
BOARD

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. THOMPSON. Mr. Speaker, there have been many articles in the media of late concerning the provisions of H.R. 77, a bill I have introduced that would strengthen the National Labor Relations Board. One of the more meaningful statements on this issue was that made by Msgr. George G. Higgins of the U.S. Catholic Conference in a recent commentary which appeared in some 35 Catholic weeklies in the United States and Canada. Monsignor Higgins brings to the subject a vast understanding in labor matters. I commend this statement to my colleagues:

JUSTICE DELAYED IS JUSTICE DENIED

(By Msgr. George G. Higgins)

The fact that 30 million votes have been cast in union representation elections conducted by the National Labor Relations Board has been hailed by union leaders as a milestone in the history of labor-management relations.

But George Meany, president of the AFL-CIO, has warned that we should not be lulled into complacency by those statistics. In a hard-hitting speech at a dinner celebrating the 30 million votes, Meany called for reform of the National Labor Relations Act (NLRA).

The aim of the NLRA, passed by Congress in 1935, was simple and clear, Meany recalled. The law said and still says: "It is . . . the policy of the United States . . . (to encourage) the practice and procedure of collective bargaining . . . by protecting the exercise of workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection."

Four decades later, Meany pointed out, the public policy of the United States has not been realized. He charged that between the intention and the reality of the law there is a colossal gap of empty promises, delays, and frustrations. This gap, he added, has grown instead of shrinking.

The gist of Meany's complaint is that the Taft-Hartley and Landrum-Griffin amendments tacked on to the original statute have weakened the law and strengthened the hand of anti-union employers who choose to interfere with and frustrate the right of workers to organize and bargain collectively. More specifically, he charged that anti-union employers (and their well-paid accomplices in the legal profession) are past masters at resorting to "procedural delays," thus avoiding enforcement of the law for years and nullifying its original purpose and objective.

Some of labor's critics are inclined to dismiss Meany's complaint as one-sided union propaganda. Surprisingly, however, the March 7 issue of Barron's—a business-oriented weekly which has been consistently anti-labor—says, in effect, that Meany's criticism of the Act is well founded. Barron's readily concedes that the delaying tactics Meany is complaining about are, in fact, being used by many anti-union employers, particularly in the South.

"Four out of five union representation elections," Barron's says, "are held without opposition from the employer, and take place within a month after the filing of an election petition. But where the employer chal-

lenges the election, it is generally postponed for an average of two-and-a-half months for hearings, and for an average of 10 months if the employer's case is heard by the board itself. And the longer the delay, the more organizing momentum is lost, and the weaker the union's showing invariably proves. Moreover, if a worker involved in the organizing drive or with union sympathies is fired and successfully challenges his dismissal as an unfair labor practice, it is likely to take about two years before the courts finally order his reinstatement with back pay, even if his complaint is upheld by the NLRB."

In other words—justice delayed is justice denied. That's precisely what Mr. Meany is complaining about and what the labor movement, under his leadership, is determined to correct through a series of amendments to the National Labor Relations Act.

Some of these amendments have been incorporated in a bill (H.R. 77) introduced in the House of Representatives on Jan. 4 by Congressman Frank Thompson of New Jersey, chairman of the House Labor Committee. The purpose of H.R. 77 is (1) to strengthen the processes and procedures of the NLRB to permit more expeditious enforcement of the provisions of the National Labor Relations Act; and (2) to expand and enlarge the administrative and judicial remedies provided in the Act in order to discourage intentional violation of the statute and to provide adequate remedies to injured parties.

Congressman Thompson's bill is right on target, Barron's predicts that the effort to enact it will "undoubtedly prove the union's bloodiest fight." So be it, I am looking forward to the battle, and I am confident that labor will prevail.

CONSERVATION OF WHALES

HON. DAVID F. EMERY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. EMERY. Mr. Speaker, on April 6, 1977, I introduced a joint resolution which focuses attention on the plight of the great whales and which urges the Department of State to work within the Third United Nations Conference on the Law of the Sea to conserve and protect whales and other cetaceans on a global basis.

Efforts to save the whales are not new. The International Whaling Commission, a volunteer organization formed for the purpose of studying whale population data and imposing quotas on whale harvesting, has been in existence for over 25 years. Domestic organizations such as the Connecticut Cetacean Society, Friends of the Earth, the Humane Society of the United States, the Committee for Humane Legislation, the Monitor Consortium, and others, have focused attention on the radically depleted whale population. Many of these efforts, however, have borne little fruit. The Soviet Union, Japan, Chile, and Peru continue to harvest whales and continue to ignore the concept of a moratorium which would allow the whale stocks to rebuild.

The Japanese claim they need to hunt whales as a source of protein. The actual percentage of protein supplied by whales in the Japanese diet, however, is only 2 percent of the total intake. Finfish and

shellfish supply over 50 percent, and meat represents approximately 23 percent.

What the Japanese really use whales for is as a source of ingredients in such products as fertilizer and cosmetics, even though in each case alternative synthetics are available. Another argument which weakens the Japanese justification for harvesting whales for meat is the fact that half the catch is composed of sperm whales, a species not eaten at all. What must be faced, then, is not dependence on a protein source, but dependence upon a traditional economic system whose existence is based more on job demand rather than economic expediency. Japanese whaling activities lose money yearly, but continue to operate because of union pressure to maintain traditional job opportunities.

The Soviet Union harvests sperm whales for their oil. The oil is used in transmission fluid of motor vehicles, but more importantly in high temperature ballistic missiles. The United States currently relies on a stockpile of sperm oil for its strategic weapons use, but when this stockpile runs out, we will employ oil from the seeds of an American desert shrub called jojoba. With experimental planting, the Soviet Union could, no doubt, do the same.

Since the Soviet Union and Japan account for between 80 to 85 percent of the total yearly whale take, efforts to halt whale slaughter must be aimed at these two countries. Each year about 38,000 are taken, thereby bringing them nearer and nearer to extinction.

My joint resolution calls upon our U.S. representatives at the Law of the Sea Conference to work within that international body for the conservation and protection of whales and other cetaceans. I feel that the current language dealing with marine mammals in articles 53 and 54 of the revised single negotiating text do not adequately address the problem. I feel that slightly stronger, more explicit, language is needed before any adequate protection will be realized. Consequently, by calling on our LOS representatives to work for greater conservation and protection of marine mammals through a joint sense of Congress resolution, the unfortunate fate of the great whales may be averted.

Mr. Speaker, the following is the language of my joint resolution:

H.J. RES. —

To encourage formation of an international organization for the conservation of whales

Whereas whales are a resource that is of greater ecologic, scientific, and esthetic benefit to mankind;

Whereas whales migrate globally within and beyond areas of national jurisdiction and are therefore a common interest of mankind;

Whereas the great whales have been over-exploited for many years resulting in severe depletion and near extinction of many species;

Whereas the present charter of the International Whaling Commission is not completely effective because it provides no power to enforce quota recommendations and membership by whaling nations is not mandatory;

Whereas a number of whaling nations are not members of the International Whaling Commission and many other non-Interna-

tional Whaling Commission member nations may enter into whaling operations in the future without International Whaling Commission influence;

Whereas the opportunity exists through a series of bilateral and multilateral actions to remedy present inadequacies in whale protection;

Whereas a single mandatory organization for the conservation of whales on a global basis is the most effective whale conservation organization;

Whereas extensions of national jurisdictions over certain living resources to 200 miles could endanger the protection of whales in over one-third of the world's oceans unless the global organization for the conservation of whales has jurisdiction within and beyond the exclusive economic zones;

Whereas the present provision in the Revised Single Negotiating Text of the Law of the Sea Conference relating to marine mammals neither provides for adequate conservation standards for protection of whales nor provides for a single international organization to insure the protection of whales, within and beyond the economic zone: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the United States should work within the 3rd United Nations Conference on the Law of the Sea toward establishment of a single international organization to advance understanding and insure effective conservation and protection of whales and other cetaceans on a global basis. There should be a clear obligation for all nations who have an interest in whales to cooperate to establish an organization with sufficient powers to insure effective conservation of whales and other cetaceans within and beyond the 200 mile economic zone. Such an organization should not preclude additional whale conservation activities by other interested groups or prohibitions by coastal nations on the taking of some or all marine mammals within their 200 mile zone. Be it further

Resolved, That it is the sense of the Congress that in order to achieve whale conservation as soon as possible, a series of bilateral and multi-lateral initiatives with nations having an interest in whales should be undertaken immediately by representatives from the Department of State.

TUNA-PORPOISE CONTROVERSY CAUSING LOSS OF JOBS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. ANDERSON of California. Mr. Speaker, most of the U.S. tuna fleet is currently tied up in port due to the regulations on the taking of porpoise that became effective on March 1 of this year. The regulations, as set by the National Marine Fisheries Service, have forced the fleet to remain in port because the ships cannot fish on an economic basis. A total ban has been set on taking the eastern spinner porpoise, which is usually associated with other species when they are found swimming over schools of tuna.

Most of the fleet is located in California, in the harbors of San Pedro and San Diego. But the economic effects of this situation have been felt as far away as Cambridge, Md., where the only tuna canning plant on the east coast was re-

cently forced to shut down. A plant in San Diego has laid off 150 workers, and the industry expects to see unemployment forced higher as a result of the impasse.

The following four articles appeared in the San Pedro News Pilot on April 7, 1977. They give an excellent account of the effects the porpoise regulations have had to date, and of what might be expected in the future:

CRANSTON SAYS FISHING PROBLEM A FEDERAL ONE

(By G. M. Prather)

WASHINGTON.—Sen. Alan Cranston, D-Calif., says it appears a swift administrative resolution to the tuna industry's dilemma is impossible, adding "we seem to have reached a point where only Congress can resolve the matter."

Cranston and Gov. Edmund G. Brown had been trying to ease the strict 1977 fishing regulations through administrative channels so tuna fishermen would be able to resume fishing.

Cranston said that would have been the speediest route.

"If we have to resolve the problem through legislation, it may be September or October before a bill is passed," he said in an earlier interview.

Speaking to reporters following White House-congressional leadership breakfast, Cranston said the only hope remaining for a quick resolution is for tuna industry and environmental representatives to reach a compromise agreement among themselves.

Tuna fishermen have had their vessels in port in San Pedro and San Diego since the government announced it was sticking with its recommendations of last year to ban all taking of Eastern spinner porpoise during commercial netting of tuna.

Fishermen say the spinners frequently swim with the other more common species of porpoise which are encircled in order to net the tuna which swim beneath them.

If a spinner is taken, fishermen are subject to fines of \$20,000 or more, a year in jail and forfeiture of the entire cargo of tuna.

Fishermen say the risk is too great and have refused to fish while the prohibition is in effect.

Cranston and Brown had hoped the National Marine Fisheries Service would be able to amend its 1977 fishing regulations to allow some take of eastern spinners, thereby enabling the U.S. tuna fleet to resume fishing.

"That may be very, very difficult, however, because of the criminal and financial liabilities the fisherman are subject to," Cranston said.

The two groups have been meeting regularly over the past three weeks to try to find a compromise solution.

"The dialogue is still under way," Cranston said.

"They had seemed to the point of breaking off, but the meetings have resumed. If there is agreement, we might be able to work the bill through with reasonable swiftness."

Cranston said he is encouraged that 19 to 20 boats have resumed fishing.

He said they are under aerial surveillance so the government can monitor fishing activities to determine whether the prohibited eastern spinner are being taken.

THREE HUNDRED SIXTY PUT OUT OF WORK AS MARYLAND CANNERY CLOSES DOWN

(By G. M. Prather)

WASHINGTON.—The closing of the East Coast's only tuna packing plant is viewed by some industry officials as further evidence of the unemployment crisis being caused in the tuna industry by excessive government regulation.

Bumble Bee Seafoods closed its packing plant in Cambridge, Md., on March 31 forcing 360 persons out of work.

Company officials blame the closure on their inability to meet water quality standards imposed by the state of Maryland and the Environmental Protection Agency, saying Bumble Bee would have to spend \$2 million to install the necessary sewage treatment equipment.

Company spokesman Alice McClennan said the plant could not operate profitably if the expenditure were made.

Cambridge Mayor Albert Atkinson said the necessary modifications could have been made for \$400,000.

Several tuna industry officials claim Bumble Bee used the pollution problem as an excuse to move the packing operations to its newly purchased Puerto Rico plant.

They say the real problem in Cambridge was a diminishing supply of tuna.

"It is not just coincidence the Cambridge plant closed at the time of problems in the tuna industry," one industry official said.

The Cambridge plant closing came on the same day Sun Harbor Industries in San Diego laid off 150 workers, 17 per cent of the cannery's work force of 900.

Sun Harbor president J. B. Lindsey said the layoffs are permanent.

He would not predict whether future layoffs would be necessary but said, "the longer the fleet is in, the more aggravated the problem becomes."

The U.S. tuna fleet is refusing to fish under government regulations which prohibit taking of eastern spinner porpoise in connection with the netting of tuna, and impose heavy criminal and financial penalties for violations.

"Even if the fleet started fishing tomorrow, it would be 60 to 75 days before any vessels would return with a catch," Lindsey said.

The unemployment among cannery workers is seen as the third ripple caused by the strict fishing regulations.

American Tunaboat Association general manager August Felando said in the first ripple at least 2,000 fishermen were put out of work when the government imposed the ban on taking eastern spinners, a ban which was reinforced by a Washington court decision March 8.

The next ripple of unemployment was among vessel suppliers, Felando said. "The people who repair the boats and provide fuel and other provisions were the next to feel the impact."

Felando said he could not estimate how many suppliers are actually out of work since the fleet has not been fishing. The third group to feel the impact are the canners. Distributors and brokers will be next, Felando said, followed by soybean farmers who provide the oil for packing tuna and then by the manufacturers of steel, labels and cartons for the canneries.

Lindsey said the consumer will be the ultimate loser in the crisis, faced with 20 to 50 per cent increases in the price of tuna between Easter and July 4.

"This is going to be felt across the board," Lindsey said. "Ninety per cent of all Americans use tuna as a staple in their diet. They will be faced with scarcity and higher prices simply because Washington has been unable to resolve the political differences of the industry and environmentalists."

An estimated 30,000 persons are employed in the tuna industry, Felando estimates. That is the population of the community on Maryland's eastern shore which is facing massive unemployment among the black, largely unskilled laborers who were put out of work by the closing of the Bumble Bee plant.

The employees were given only two weeks notice the plant was to be closed even though acting plant manager Russell Bugas said the company knew late last fall the water

standards would be imposed at heavy cost to the plant.

"Bumble Bee should have given us notice of their intention to close eight months ago so we could have worked on placing people in other jobs," said James Howard, business agent for 1 Workmen of North America that represented the Bumble Bee work force.

Bumble Bee personnel director McLennan said her company has tried to place as many workers as possible in other jobs but said she has no figures on how many have found work.

"I offer our offices to potential employers to interview our workers," she said, "but the hiring is up to them, not us."

There are two other food processing operations 30 to 40 miles from Cambridge but McLennan said workers are unwilling to travel that far to work.

As a result, most of the workers, whose average salary was \$125 a week, have gone on unemployment but don't expect their checks to start arriving for several weeks.

When they do get here, the checks will be about \$75 a week.

"I can't live on \$75 a week," a middle-aged woman employee of the plant said. "That will hardly pay my family's food bill, let alone meet all the other payments I have to make."

"What about the rent, the car payment, my insurance? How am I going to pay them?" she asked. "I don't know what I am going to do."

SAN DIEGO BUSINESSES SAID HURT BY TUNA SUSPENSION

SAN DIEGO.—As the U.S. tuna fleet sits idled at the dock, at least a dozen San Diego businessmen who support the fishing industry say they're sinking economically, too.

The blues are being sung along the waterfront by boat painters, repairmen and suppliers of provisions to fishermen.

If the 1977 fishing stalemate continues, food supplier Sal Vasquez said that his firm will go out of business.

"We're losing our shirts," said Gil Rodriguez of Gil's Ship Supplies.

Robert Cleator, president and general manager of a marine hardware firm which sells nets and boat engines, said the crisis is "no joke."

The fishermen, said Cleator, "came in early with very little fish and there are damn few of them who even have enough money to pay their bills." Rodriguez said he is losing \$5,000 a month.

A majority of the 130 boats in the U.S. tuna fishing fleet is in port in a mass protest of government regulations which their owners say have left fishing unprofitable.

New regulations reduce the number of porpoises which may die accidentally in nets set over yellowfin tuna, which swim under porpoises.

The kill quota was cut by almost 20,000 porpoises this year 59,050. In addition, no fishing is allowed in the vicinity of eastern spinner porpoises which like other species become entangled in nets and suffocate.

The National Marine Fisheries Service requires that it be notified 48 hours ahead of every unloading.

Other tightened regulations also are criticized as unworkable by the American Tuna-boat Association, a boat owners' group.

SALES OF FOREIGN-CAUGHT FISH TO U.S. CANNERS SOAR

(By Ken Hudson)

Foreign tuna fishermen have nearly doubled their sales to U.S. canners during the first three months of this year compared to the same period a year ago.

Figures show that 20,913 tons of tuna were imported during the first three months of this year compared to 11,415 tons during the same period in 1976, according to Ed Silva, executive vice president of the American Tunaboat Association. (ATA)

Virtually all of that was delivered to the four largest California packing plants, Van Camp, Star-Kist, Pan Pacific and Sun Harbor, Silva said.

The total catch in the tuna-rich eastern tropical Pacific waters several thousand miles south of San Diego was 74,000 tons as of March 21—41,000 tons less than the 115,000 tons caught by the same date last year, Silva said.

While the foreign tuna fishermen have been setting their nets on fish associated with porpoises, the U.S. fleet has been idle awaiting a permit from the National Marine Fisheries Service that will allow them to also fish for yellowfin tuna traveling with porpoises.

That permit is expected to be issued on Monday.

Present regulations of the NMFS allow the U.S. fishermen to set their nets on yellowfin unless eastern spinner porpoises are present.

HUMAN RIGHTS: A POLICY OF HONOR

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 18, 1977

Mr. FRASER. Mr. Speaker, Valery Chalidze is a physicist. His Soviet citizenship was revoked in 1972 and today he edits "A Chronicle of Human Rights in the U.S.S.R.," published in New York.

The Wall Street Journal, April 8, 1977, published Chalidze's "Human Rights: A Policy of Honor." This brief essay does an excellent job of placing Soviet dissent in perspective. Chalidze makes several points and those that I found especially trenchant are:

First, Soviet dissidents work to obtain observance of existing constitutional guarantees and procedures;

Second, they turned to the international community only after Soviet leaders ignored or repressed the dissidents' petitions;

Third, their struggle is not revolutionary or political, but moral; and

Fourth, the appeal to the international community is further justified because the Soviets made international commitments to observe human rights.

Mr. Chalidze also makes some observations concerning what Western nations can do that will affect positively the situation in the Soviet Union. These are worth reading and I commend them to my colleagues. I also commend to them his wise observation that—

The Soviet Leaders are not strong enough not to fear being thought weak.

We must always keep this in mind as we pursue our very valid human rights objectives vis-a-vis the Soviet Union.

The article follows:

[From the Wall Street Journal, Apr. 8, 1977]

HUMAN RIGHTS: A POLICY OF HONOR

(By Valery Chalidze)

I have found the abrupt shift of the American press on human rights issues quite startling. I recall when Messrs. Ford and Kissinger were criticized for their indifference to human rights in other countries. Now President Carter is being criticized for his attention to this problem.

The critics of the former administration were not entirely fair. Simas Kudirka and Silva Zalmonson were released after the American government interceded on their behalf. The Ford administration also helped to arrange the exchange between Russia and Chile and promoted the freedom of Soviet Jews to emigrate.

I disagreed with many principles of the former administration, but it is important to remember what it did accomplish. For the first time in its relations with the Soviet Union, the United States devoted real attention to human rights questions. American public opinion forced the administration take an interest in these problems, but even so, the administration's response deserves some credit since governments seldom become involved in humanitarian problems without pressure from the public.

President Carter's firm and open stand on human rights reflects an ideal which has long inspired the American people: respect for liberty of the individual. International law has recognized that the problem of human rights is everyone's concern so that American attention to safeguarding human rights in other countries cannot be deemed interference in their internal affairs.

I personally hope and believe that President Carter's stand is inspired by the same concern for moral principles that motivates the majority of Soviet dissenters. However, some persons fear—or hope—that the interest of the White House is temporary and that more pressing political problems will divert the U.S. government from international human rights issues. That would be regrettable, but I am convinced that public opinion would oppose such a development.

Others view Mr. Carter's statements as a response to Soviet support for Communists in Western countries. But there is no real symmetry involved since the usual aim of nongoverning Communist parties is destruction of the constitutional order in their countries, while the dissidents in the U.S.S.R. are working for the observance of constitutional guarantees and legal procedure.

THE MAIN PROBLEM IS MOSCOW

Concern for human rights in countries where America has direct political influence as well as in Communist countries is crucial. Soviet emigres arriving in the West often assert that the main problem in human rights is Moscow. They hold this view not just because they love their native country, but because they are ignorant of the gross violations of human rights occurring in some countries of Latin America, Asia and Africa, violations which frequently exceed Soviet violations in cruelty if not in scale.

But those who argue that special attention should be devoted to the Soviet Union are right in one respect. The Soviet Union does more than violate the rights of its own citizens. It preaches an ideology that justifies such violations, an ideology increasingly used by some developing countries in oppressing their own citizens. And this ideology may even distort the development of international law—for instance through the prejudice, quite widely shared by member-states of the United Nations, that civil rights should be subordinated to the achievement of social and economic rights.

Why should the U.S. take an active role in this problem? Why cannot Soviet citizens handle this matter themselves and convince their government to respect human rights?

We did try for a long time to engage the Soviet government in discussion. During the years when I was active in defense of human rights inside the U.S.S.R., I myself never signed a single letter to a foreign government. I always addressed the Soviet leaders, and my friends Andrei Sakharov, Andrei Tverdokhlebov, Sergei Kovalev and others acted in the same manner. The leaders' response was silence—and repression. The Soviet gov-

ernment does not want to discuss such subjects with its own citizens.

During the past few years, Soviet dissidents have almost given up appealing to their own government, preferring to try world public opinion, international human rights organizations and other governments that have dealings with the Soviet government. We have no other recourse if Moscow is unwilling to listen to us. We are not revolutionaries inciting the people to an uprising; we are not a political party fighting for power. We are waging a moral struggle for the recognition of human dignity and human rights, and in the course of this struggle it is natural to appeal to people who have waged or are waging a similar struggle in their own countries. This is why Western public opinion supports us.

It is also natural to appeal to the Soviet Union's partners in the UN and in the Helsinki accords, since the Soviet Union has made commitments to those countries to observe human rights. We naturally expect those states to take the initiative in seeking fulfillment of Soviet obligations.

Soviet dissidents have always been inspired by the conviction that in speaking out for human rights, in appealing to Western public opinion and to the U.S.S.R.'s partners in international agreements, we are acting to improve our country, not to harm it.

What initiatives can the U.S. and other Western countries take that might have some effect on the Soviet Union?

First of all, they can state publicly their disapproval of human rights violations, as President Carter is doing to the dismay of his critics. They fear that his remarks may harm Soviet dissenters, but the dissenters themselves have already answered that only a firm stand by the West can assist them in their struggle. President Carter's stand not only provides moral support for Soviet dissenters and a basis for further action; it also represents a policy of honor. And I hope other Americans share President Carter's respect for the old-fashioned concept of honor.

Another method, "quiet diplomacy," was applied by Henry Kissinger with some success and can produce results in specific cases. The Soviet leaders are not strong enough not to fear being thought weak. They are afraid of making concessions. They are afraid that if they perform a good deed it will be interpreted as weakness. Personal contacts between Americans and Soviets can be put to use: Soviets want to appear civilized, at least on some occasions.

The most effective method is, of course, the use of procedures provided by international law. The Soviet Union has ratified many human rights conventions. Since 1969 when I began my own public activity in this field, I have been puzzled why Western countries have been so passive in seeking Soviet observance of those conventions—even though Soviet discrimination in education and employment based on political and religious beliefs plus many similar violations, are common knowledge.

Not a single country has paid attention to these violations although it is known that dissenters have been fired from jobs and Baptists have had their children removed from their custody. No one recalls the Genocide Convention, although the Crimean Tatars were forcibly deported from their native lands in 1944 and are still not permitted to return. No one recalls the Universal Postal Convention, although everyone knows that Soviet postal censors often "lose" letters and sometimes fail to deliver packages sent by friends abroad to help jobless dissidents.

Every convention specifies procedures to review compliance. However ineffective these procedures may turn out to be, they should

be tested and used. Why rely solely on political measures when an alternative exists: using the procedures provided by international law to resolve disputes. Monitoring the humanitarian provisions of the Helsinki final act is equally important. In this case the U.S. is apparently prepared to be more vigorous in pressing for effective follow-up.

A COMPLICATED INSTRUMENT

Some people are hopeful that trade can be used to induce Soviet respect for human rights. But trade is a complicated instrument to use for such purposes.

Restrictions on trade are not always acceptable. I agree with Andrei Sakharov's statement that restrictions on the sale of grain would be immoral, even to secure human rights. On the other hand, linking credits to human rights is justified, and demonstrates that America takes the issue seriously. The Jackson Amendment has played a major role in this respect. The United States has every right to choose its trading partners and to establish its conditions of trade, especially when credits very much resemble economic aid.

I am in agreement with the often repeated opinion that disarmament negotiations should not be made dependent on progress with human rights problems. But disarmament negotiations and the question of human rights are linked to the question of international security. A state does not initiate aggression with a declaration of war; it begins by persecuting its own citizens' honest and lawful behavior. After its critics are silenced, a government can prepare international aggression, whip up a war psychosis among its citizens and secretly increase military expenditures at the expense of social needs.

Anyone who wishes the U.S. to take an active role in defending human rights in the U.S.S.R. must remember that the first responsibility of the U.S. government is to protect American security and American interests. But it will clearly serve America's long term interest if its strongest rival evolves into a more open, more liberal, more responsive society.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings when scheduled, and any cancellations or changes in meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare such information daily for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, April 19, 1977, may be found in the Daily Digest section of today's RECORD.

The schedule follows:

MEETINGS SCHEDULED

APRIL 20

9:00 a.m.

Human Resources
Employment, Poverty, and Migratory Labor Subcommittee

To hold hearings on H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youth.

Until 1 p.m. 357 Russell Building

9:30 a.m.

Appropriations
Interior Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior and related agencies, to hear public witnesses.

1114 Dirksen Building

Appropriations

State, Justice, Commerce, Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1978 for the Department of Commerce.

1224 Dirksen Building

Banking, Housing and Urban Affairs

To hold hearings on the nomination of John L. Moore, Jr., of Georgia, to be President of the Export-Import Bank.

5302 Dirksen Building

Environment and Public Works

Water Resources Subcommittee

To continue hearings on the proposed replacement of Lock and Dam 26, Alton, Ill.

4200 Dirksen Building

10:00 a.m.

Armed Services

Tactical Air Power Subcommittee

To meet in closed session to begin markup of S. 1210, authorizing funds for fiscal year 1978 for military procurement.

212 Russell Building

Banking, Housing, and Urban Affairs

To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.

5302 Dirksen Building

Commerce, Science, and Transportation

Consumer Subcommittee

To continue oversight hearings on activities of the Consumer Product Safety Commission.

235 Russell Building

Energy and Natural Resources

To consider pending calendar business

3110 Dirksen Building

Foreign Relations

International Operations Subcommittee

To hold hearings on proposed fiscal year 1978 authorizations for the Department of State.

4221 Dirksen Building

Governmental Affairs

To continue hearings on S. 1262, to establish an independent agency to protect the interests of consumers.

3302 Dirksen Building

Government Affairs

Subcommittee on Government Efficiency

To receive testimony on a GAO study alleging inaccurate financial records of the Federal flood insurance program.

6226 Dirksen Building

Human Resources

Labor Subcommittee

To consider S. 717, to promote safety and health in the mining industry.

Until 1 p.m. 4232 Dirksen Building

Joint Economic Committee
To hold hearings to receive testimony on issues the United States will present at the upcoming economic summit conference in London on May 7.
6202 Dirksen Building

Judiciary
To continue hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.
2228 Dirksen Building

Select on Intelligence
Subcommittee on Collection, Production, and Quality
Closed business meeting.
S-407, Capitol

Select Small Business
To hold hearings on S. 972, to authorize the Small Business Administration to make grants to support the development and operation of small business development centers.
424 Russell Building

1:00 p.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior, to hear public witnesses.
1114 Dirksen Building

2:00 p.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue oversight hearings on proposed budget estimates for fiscal year 1978 for the Department of Commerce.
S-146, Capitol
Commerce, Science, and Transportation
To hold hearings on the implementation of the Fishery Conservation and Management Act (200-mile fishery limit law).
5110 Dirksen Building

2:30 p.m.
Foreign Relations
Army Control, Oceans and International Environment Subcommittee
To hold hearings on S. 1190, the Foreign Relations Authorization Act, and S. 1042, to extend authorizations for the Arms Control and Disarmament Agency for fiscal year 1978, to hear Paul C. Warnke, Director, ACDA.
4221 Dirksen Building
Select Intelligence Subcommittee on Secrecy and Disclosure
Closed organizational meeting.
S-407, Capitol

4:00 p.m.
Foreign Relations
Foreign Economic Policy Subcommittee
To meet in closed session to hear Secretary of the Treasury W. Michael Blumenthal on American foreign economic policy.
S-116, Capitol

APRIL 21

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

9:00 a.m.
Energy and Natural Resources
Subcommittee on Parks and Recreation
To hold hearings on S. 658, to designate certain lands in Oregon for inclusion in the National Wilderness Preservation System.
Room to be announced

Foreign Relations
International Operations Subcommittee
To hold hearings on proposed fiscal year

1978 authorizations for the Department of State.
4221 Dirksen Building

9:30 a.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior and related agencies, to hear public witnesses.
1114 Dirksen Building
Banking, Housing and Urban Affairs
To hold hearings on the nominations of William F. McQuillen, of Virginia, and Harry R. VanCleve, of Virginia, to be members of the Renegotiation Board.
5302 Dirksen Building

Human Resources
To consider S. 725, authorizing funds through fiscal year 1982 for certain education programs for handicapped persons.
Until 10:30 a.m. 4232 Dirksen Building

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1978 for foreign aid programs.
S-126, Capitol

Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for the Arms Control and Disarmament Agency, Board for International Broadcasting, USIA, and the Commission on Civil Rights.
S-146, Capitol
Banking, Housing, and Urban Affairs
To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.
5302 Dirksen Building
Commerce, Science, and Transportation
To hold hearings on the nominations of Langhorne McCook Bond, of Illinois, to be Administrator, and Quentin Saint Clair Taylor, of Maine, to be Deputy Administrator both of the Federal Aviation Administration.
235 Russell Building
Commerce, Science, and Transportation
Consumer Subcommittee
To continue oversight hearings on activities of the Consumer Product Safety Commission.
5110 Dirksen Building

Energy and Natural Resources
To hold hearings to receive testimony on the President's Energy message.
3110 Dirksen Building

Environment and Public Works
Subcommittee on Resource Protection
To hold hearings on proposed legislation authorizing funds to the States to extend the Endangered Species Act through 1980.
4200 Dirksen Building

Governmental Affairs
Subcommittee on Governmental Efficiency
To receive testimony on a GAO study alleging inaccurate financial records of the Federal flood insurance program.
6226 Dirksen Building

Governmental Affairs
Subcommittee on Reports, Accounting, and Management
To continue hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.
3302 Dirksen Building

Joint Economic Committee
To hold hearings to receive testimony on issues the United States will present at the upcoming economic summit conference in London on May 7.
6202 Dirksen Building

Select Intelligence
Closed business meeting.
S-407, Capitol

Small Business
To mark up bills concerning disaster relief for small business concerns (S. 832, 1206, and 1259).
424 Russell Building

10:30 a.m.
Human Resources
Employment, Poverty, and Migratory Labor Subcommittee
To hold hearings on H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242 to provide employment and training opportunities for youth.
Until 2 p.m. 357 Russell Building

11:00 a.m.
Foreign Relations
Foreign Assistance Subcommittee
To hold hearings on proposed fiscal year 1978 authorizations for the Security Assistance Program.
4221 Dirksen Building

1:00 p.m.
Appropriations
Interior Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior, to hear public witnesses.
1114 Dirksen Building

2:00 p.m.
Appropriations
Legislative Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for the legislative branch, to hear J. Stanley Kimmitt, Secretary of the Senate, and F. Nordy Hoffman, Senate Sergeant at Arms.
S-128 Capitol

Appropriations
State Justice Commerce Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the EEOC, FTC, and SBA.
Armed Services
General Legislation Subcommittee
To continue hearings on proposed authorizations for fiscal year 1978 for the Defense Civil Preparedness Agency.
224 Russell Building

Select Intelligence
Closed business meeting.
S-407, Capitol

2:15 p.m.
Foreign Relations
To hold hearings on the nominations of Michael J. Mansfield, of Montana, to be Ambassador to Japan; W. Tapley Bennett, Jr., of Georgia, to be Permanent Representative to the Council of NATO; Samuel W. Lewis, of Texas, to be Ambassador to Israel; George S. Vest, of Maryland, to be Ambassador to Pakistan; and Robert F. Goheen, of New Jersey, to be Ambassador to India.
4221 Dirksen Building

APRIL 22

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue mark up of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

9:00 a.m.

Appropriations

Interior Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior, to hear public witnesses.

1114 Dirksen Building
Commerce, Science, and Transportation

To hold hearings on the nomination of Jordan J. Baruch, of New Hampshire, to be an Assistant Secretary of Commerce.

5110 Dirksen Building

Foreign Relations

International Operation Subcommittee

To hold hearings on proposed fiscal year 1978 authorizations for the USIA and Department of State Cultural Exchange Program.

4221 Dirksen Building

Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To hold hearings on H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youth.

Until 1 p.m. 4232 Dirksen Building

10:00 a.m.

Appropriations

State, Justice, Commerce, Judiciary Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Federal Maritime Commission, Foreign Claims Settlement Commission, International Trade Commission, and the Legal Services Corporation.

S-146, Capitol

Banking, Housing, and Urban Affairs

To continue hearings on proposed housing and community development legislation with a view to reporting its final recommendations thereon to the Budget Committee by May 15.

5302 Dirksen Building

Energy and Natural Resources

To continue hearings on proposed budget estimates for fiscal year 1978 for ERDA.

3110 Dirksen Building

Governmental Affairs

To mark up S. 826, to establish a Department of Energy in the Federal Government to direct a coordinated national energy policy.

3302 Dirksen Building

Governmental Affairs

Subcommittee on Governmental Efficiency

To receive testimony on a GAO study alleging inaccurate financial records of the Federal flood insurance program.

6226 Dirksen Building

Joint Economic Committee

To hold hearings to receive testimony on issues which the U.S. will present at the upcoming economic summit conference in London on May 7.

1202 Dirksen Building

11:00 a.m.

Foreign Relations

Foreign Assistance Subcommittee

To continue hearings on proposed fiscal year 1978 authorizations for the Security Assistance Program.

4221 Dirksen Building

1:00 p.m.

Appropriations

Interior Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of the Interior to hear public witnesses.

1114 Dirksen Building

2:00 p.m.

Appropriations

State, Justice, Commerce, Judiciary Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Marine Mammal Commission Renegotiation Board, and the SEC.

S-146, Capitol

2:30 p.m.

Appropriations

Labor-HEW Subcommittee

To hold hearings to receive testimony on fiscal 1978 budget estimates for the Railroad Retirement Board.

S-128, Capitol

APRIL 25

8:00 p.m.

Agriculture, Nutrition, and Forestry

To continue mark up of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.

322 Russell Building

9:00 a.m.

Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1978 for the Legal Services Corporation.

Until 1 p.m. 4232 Dirksen Building

9:30 a.m.

Appropriations

Interior Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Forest Service.

1114 Dirksen Building

10:00 a.m.

Banking, Housing, and Urban Affairs

Consumer Affairs Subcommittee

To hold hearings on S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.

5302 Dirksen Building

*Commerce, Science, and Transportation

Merchant Marine and Tourism Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1978 for the Coast Guard.

235 Russell Building

Energy and Natural Resources

To resume hearings on S. 9, to establish a policy for the management of oil and natural gas in the Outer Continental Shelf.

3110 Dirksen Building

Environment and Public Works

Subcommittee on Water Resources

To hold hearings on proposed legislation to authorize funds for fiscal year 1978 for river basin projects.

4200 Dirksen Building

Judiciary

To resume hearings on S. 825, to foster competition and consumer protection policies in the development of product standards.

2228 Dirksen Building

APRIL 26

8:00 a.m.

Agriculture, Nutrition, and Forestry

To continue mark up of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.

322 Russell Building

9:00 a.m.

*Human Resources

Employment, Poverty, and Migratory Labor Subcommittee

To continue hearings on proposed legislation authorizing funds for fiscal year 1978 for the Legal Services Corporation.

Until 11:30 a.m. 424 Russell Building

9:30 a.m.

Appropriations

State, Justice, Commerce, Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1978 for the Department of Justice.

1318 Dirksen Building

Human Resources

Subcommittee on Labor

To hold hearings on S. 995 to prohibit discrimination based on pregnancy or related medical conditions.

Until noon 4232 Dirksen Building

Select Small Business

To hold hearings on problems of small business as they relate to product liability.

1202 Dirksen Building

10:00 a.m.

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.

1224 Dirksen Building

Banking, Housing, and Urban Affairs

Consumer Affairs Subcommittee

To continue hearings on S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.

5302 Dirksen Building

Commerce, Science, and Transportation

Merchant Marine and Tourism Subcommittee

To hold hearings to receive testimony in connection with delays and congestion occurring at U.S. airports-of-entry.

235 Russell Building

Environment and Public Works

Subcommittee on Water Resources

To hold hearings on projects which may be included in proposed Water Resources Development Act amendments.

4200 Dirksen Building

11:00 a.m.

*Select Small Business

To resume hearings on S. 972, to authorize the Small Business Administration to make grants to support the development and operation of small business development centers.

S-126, Capitol

2:00 p.m.

Appropriations

Legislative Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Legislative Branch, to hear William A. Ridgely, Senate Financial Clerk.

S-128, Capitol

Appropriations

State, Justice, Commerce, Judiciary Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for the Department of Justice.

S-146, Capitol

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.

1224 Dirksen Building

APRIL 27

8:00 a.m.

Agriculture, Nutrition, and Forestry

To continue mark up of S. 275, to amend and extend through 1982 the Agriculture and Consumer Protection Act of 1973.

322 Russell Building

9:00 a.m.

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee

To hold hearings on S. 1069, increasing authorizations for programs under the

Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, the Toxic Substances Injury Assistance Act.
235 Russell Building

9:30 a.m.
*Commerce, Science, and Transportation Consumer Subcommittee
To hold hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

Human Resources Subcommittee on Labor
To continue hearings on S. 995, to prohibit discrimination based on pregnancy or related medical conditions.
Until noon 4232 Dirksen Building

Select Small Business
To hold hearings on proposed authorization requests for fiscal year 1978 for the Small Business Administration.
424 Russell Building

Veterans' Affairs
To hold hearings on S. 1189, H.R. 3695, H.R. 5027, and H.R. 5029, authorizing funds for grants to States for construction of veterans health care facilities.
Until 12:30 p.m. 318 Russell Building

10:00 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Judiciary.
S-146, Capitol

Appropriations Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Urban Mass Transportation Administration.
1224 Dirksen Building

Banking, Housing, and Urban Affairs Consumer Affairs Subcommittee
To continue hearings on S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.
5302 Dirksen Building

Energy and Natural Resources
To consider pending calendar business.
3110 Dirksen Building

Human Resources Health and Scientific Research Subcommittee
To consider S. 705, to revise and strengthen standards for the regulation of clinical laboratories.
Until noon 1318 Dirksen Building

*Judiciary Subcommittee on Juvenile Delinquency
To hold hearings on S. 1201 and S. 1218, to amend and extend, through fiscal year 1980, programs under the Juvenile Justice and Delinquency Prevention Act.
2228 Dirksen Building

Rules and Administration
To mark up S. 703, to improve the administration and operation of the Overseas Citizens Voting Rights Act of 1976, and to consider proposed authorizations for activities of the Federal Election Commission for fiscal year 1978.
301 Russell Building

2:00 p.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the Japan-U.S. Friendship Com-

mission, and the Office of the Special Representative for Trade Negotiations.
S-146, Capitol

APRIL 28

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

9:30 a.m.
Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To continue hearings on S. 1069, increasing authorizations for programs under the Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, the Toxic Substances Injury Assistance Act.
154 Russell Building

9:30 a.m.
*Commerce, Science, and Transportation Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

Human Resources Child and Human Development Subcommittee
To consider S. 961, to implement a plan designed to overcome barriers in the interstate adoption of children, and proposed legislation to extend the Child Abuse Prevention and Treatment Act.
Until 10:30 a.m. 4232 Dirksen Building

10:00 a.m.
Appropriations Transportation Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1978 for the National Highway Traffic Safety Administration.
1224 Dirksen Building

Banking, Housing, and Urban Affairs Securities Subcommittee
To hold hearings on proposed fiscal year 1978 authorizations for the SEC.
5302 Dirksen Building

Energy and Natural Resources Energy Research and Development Subcommittee
To resume hearings on S. 419, to test the commercial, environmental, and social viability of various oil-shale technologies.
3110 Dirksen Building

Environment and Public Works Nuclear Regulation Subcommittee
To resume hearings on proposed fiscal year 1978 authorizations for the Nuclear Regulatory Commission.
4200 Dirksen Building

Human Resources Health and Scientific Research Subcommittee
To hold hearings on biomedical research programs.
Until 12:30 1202 Dirksen Building

10:30 a.m.
Human Resources Employment, Poverty, and Migratory Labor Subcommittee
To hold hearings on H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youth.
Until 2:00 p.m. 4232 Dirksen Building

APRIL 29

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.

culture and Consumer Protection Act of 1973.
322 Russell Building

9:00 a.m.
*Human Resources Employment, Poverty, and Migratory Labor Subcommittee
To consider H.R. 2992, to amend and extend the Comprehensive Employment and Training Act, and S. 1242, to provide employment and training opportunities for youth.
Until 2 p.m. 1202 Dirksen Building

9:30 a.m.
Commerce, Science, and Transportation Consumer Subcommittee
To continue hearings on S. 403, the proposed National Product Liability Insurance Act.
5110 Dirksen Building

Commerce, Science, and Transportation Science, Technology, and Space Subcommittee
To continue hearings on S. 1069, increasing authorizations for the Toxic Substances Control Act for fiscal years 1978 and 1979; and S. 899, to aid States which adopt assistance or indemnification programs to compensate citizens for injuries resulting from chemical contamination disaster.
6202 Dirksen Building

Human Resources Labor Subcommittee
To continue hearings on S. 955, to prohibit discrimination based on pregnancy or related conditions.
Until noon 4232 Dirksen Building

10:00 a.m.
Appropriations
State, Justice, Commerce, Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1978 for the Judiciary and F.C.C.
S-146, Capitol

Banking, Housing, and Urban Affairs Rural Housing Subcommittee
To hold hearings on rural housing legislation with a view to reporting its final recommendation thereon to the Budget Committee by May 15.
5302 Dirksen Building

Energy and Natural Resources Subcommittee on Parks and Recreation
To hold hearings on S. 1125, authorizing the establishment of the Eleanor Roosevelt National Historic Site in Hyde Park, N.Y.
3110 Dirksen Building

MAY 2

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

10:00 a.m.
Rules and Administration
To hold hearings to receive testimony in behalf of requested funds for activities of Senate committees and subcommittees.
301 Russell Building

MAY 3

8:00 a.m.
Agriculture, Nutrition, and Forestry
To continue markup of S. 275, to amend and extend through 1982, the Agriculture and Consumer Protection Act of 1973.
322 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs
To hold oversight hearings on U.S. monetary policy.

5302 Dirksen Building
Commerce, Science, and Transportation
Consumer Subcommittee

To hold hearings on proposed legislation amending the Federal Trade Commission Act.

235 Russell Building
Energy and Natural Resources
Energy Conservation and Regulation Subcommittee

To hold hearings to receive testimony on Federal Energy Administration price policy recommendations for Alaska crude oil.

3110 Dirksen Building
Rules and Administration

To hold hearings to receive testimony in behalf of requested funds for activities of Senate committees and subcommittees.

301 Russell Building

2:30 p.m.

Banking, Housing, and Urban Affairs

To mark up S. 208, proposed National Mass Transportation Assistance Act, and on proposed fiscal year 1978 authorizations for the SEC.

5302 Dirksen Building

MAY 4

10:00 a.m.

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Federal Highway Administration.

1224 Dirksen Building

Banking, Housing, and Urban Affairs

To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendation thereon to the Budget Committee by May 15.

5302 Dirksen Building
Commerce, Science, and Transportation
Consumer Subcommittee

To continue hearings on proposed legislation amending the Federal Trade Commission Act.

235 Russell Building
Energy and Natural Resources
Parks and Recreation Subcommittee

To hold hearings on H.R. 5306, Land and Water Conservation Fund Act amendments.

3110 Dirksen Building
Rules and Administration

To hold hearings on S. 1072, to establish a universal voter registration program, S. 926, to provide for public financing of primary and general elections for the U.S. Senate; and the following bills and messages which amend the Federal Election Campaign Act: S. 15, 105, 962, and 966, President's message dated March 22, and recommendations from the FEC submitted March 31.

301 Russell Building

MAY 5

10:00 a.m.

Banking, Housing, and Urban Affairs

To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations thereon to the Budget Committee by May 15.

5302 Dirksen Building
Commerce, Science, and Transportation
Consumer Subcommittee

To hold hearings on S. 957, designed to promote methods by which controversies involving consumers may be resolved.

5110 Dirksen Building

Rules and Administration

To continue hearings on S. 1072, to establish a universal voter registration program, S. 926, to provide for the public financing of primary and general elections for the U.S. Senate, and the following bills and messages to amend the Federal Election Campaign Act: S. 15, 105, 962, and 966; President's message dated March 22, and recommendations from the FEC submitted March 31.

301 Russell Building

MAY 6

10:00 a.m.

Banking, Housing, and Urban Affairs

To consider all proposed legislation under its jurisdiction with a view to reporting its final recommendations thereon to the Budget Committee by May 15.

5302 Dirksen Building

MAY 9

9:30 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To hold oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.

235 Russell Building

MAY 10

9:30 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.

235 Russell Building

10:00 a.m.

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1978 for the Federal Railroad Administration (Northeast Corridor)

1224 Dirksen Building

Banking, Housing, and Urban Affairs.

To resume oversight hearings on U.S. monetary policy.

5302 Dirksen Building

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 11

9:30 a.m.

Commerce, Science, and Transportation
Communications Subcommittee

To continue oversight hearings on the broadcasting industry, including network licensing, advertising, violence on TV, etc.

235 Russell Building

10:00 a.m.

Banking, Housing, and Urban Affairs

Consumer Affairs Subcommittee

To resume hearings on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.

5302 Dirksen Building

Rules and Administration

To markup S. 1072, to establish a universal voter registration program, S. 926, to provide for the public financing of primary and general elections for the U.S. Senate, and the following bills and messages to amend the Federal Election Campaign Act, S. 15, 105, 962 and 966, President's message dated March 22 and recommendations from the FEC submitted March 21.

301 Russell Building

MAY 12

10:00 a.m.

Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee

To continue hearings on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.

5302 Dirksen Building

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To continue hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government are established.

6202 Dirksen Building

MAY 13

10:00 a.m.

Banking, Housing, and Urban Affairs
Consumer Affairs Subcommittee

To continue hearings on H.R. 5294, S. 656, S. 918, and S. 1130, to amend the Consumer Protection Act so as to prohibit abusive practices by independent debt collectors.

5302 Dirksen Building

MAY 18

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.

1224 Dirksen Building

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To resume hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

2:00 p.m.

Appropriations

Transportation Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1978 for DOT, to hear Secretary of Transportation Adams.

1224 Dirksen Building

MAY 19

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on S. 695, to impose on Federal procurement personnel an extended time period during which they may not work for defense contractors.

5302 Dirksen Building

MAY 20

10:00 a.m.

Banking, Housing, and Urban Affairs

To continue hearings on S. 695, to impose on Federal procurement personnel an extended time period during

which they may not work for defense contractors.

5302 Dirksen Building

MAY 23

10:00 a.m.

Banking, Housing, and Urban Affairs

To continue hearings on S. 695, to impose on Federal procurement personnel an extended time period during which they may not work for defense contractors.

5302 Dirksen Building

MAY 24

10:00 a.m.

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To resume hearings to review the processes by which accounting and audit-

ing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

MAY 26

10:00 a.m.

Governmental Affairs

Subcommittee on Reports, Accounting and Management

To continue hearings to review the processes by which accounting and auditing practices and procedures, promulgated or approved by the Federal Government, are established.

6202 Dirksen Building

JUNE 13

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold oversight hearings on the cable TV system.

235 Russell Building

JUNE 14

9:30 a.m.

Commerce, Science, and Transportation

Communications Subcommittee

To continue oversight hearings on the cable TV system.

235 Russell Building

JUNE 15

9:30 a.m.

Commerce, Science, and Transportation

Communications Subcommittee

To continue oversight hearings on the cable TV system.

235 Russell Building

HOUSE OF REPRESENTATIVES—Tuesday, April 19, 1977

The House met at 12 o'clock noon.

The Reverend Harry Lee Hoffman, St. Peter's Episcopal Church, Purcellville, Va., offered the following prayer:

Almighty God, whose energy is boundless and whose covenant is to provide for the needs of those who trust You; we lift up to You the energy needs confronting our Nation and world today. Give us awareness of the extreme needs of the hungry and deprived in Your world, and grant us the will to sacrifice some of our own abundance on their behalf. Assist, O Lord, the Members of this House and all others in authority in their work together for a sound national energy program according to Your will. Heal the sick and comfort those who mourn, especially any of this House or of their staffs or families. Help us to praise Your holy name in all things, and please send rain to the farmlands, through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Is there objection to the approval of the Journal?

Mr. EDWARDS of Oklahoma. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. BRADEMAs. Mr. Speaker, I move the approval of the Journal.

The SPEAKER. The question is on the motion offered by the gentleman from Indiana (Mr. BRADEMAs).

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 367, nays 4, not voting 62, as follows:

[Roll No. 136]

YEAS—367

Abdnor	Clawson, Del	Gilman
Addabbo	Clay	Ginn
Alexander	Cleveland	Gonzalez
Allen	Cochran	Goodling
Ambro	Cohen	Gore
Ammerman	Coleman	Gradison
Anderson	Collins, Tex.	Grassley
Calif.	Conte	Gudger
Anderson, Ill.	Corcoran	Guyer
Andrews,	Corman	Hagedorn
N. Dak.	Cornell	Hall
Annunzio	Cotter	Hamilton
Applegate	Coughlin	Hammer-
Archer	Crane	schmidt
Armstrong	D'Amours	Hanley
Ashbrook	Daniel, Dan	Hannaford
Ashley	Daniel, R. W.	Hansen
Aspin	Danielson	Harkin
AuCoin	Davis	Harrington
Badham	de la Garza	Harris
Badillo	Delaney	Harsha
Bafalis	Dent	Hawkins
Baldus	Derwinski	Hefner
Barnard	Dickinson	Heftel
Baucus	Dicks	Hillis
Bauman	Dingell	Holland
Beard, R.I.	Dodd	Hollenbeck
Beard, Tenn.	Dornan	Holt
Bedell	Downey	Horton
Beilenson	Drinan	Howard
Benjamin	Duncan, Oreg.	Hubbard
Bennett	Duncan, Tenn.	Huckaby
Bevill	Early	Hughes
Bingham	Eckhardt	Ichord
Blanchard	Edwards, Ala.	Ireland
Blouin	Edwards, Calif.	Jeffords
Boggs	Edwards, Okla.	Jenkins
Boland	Ellberg	Jenrette
Bolling	Emery	Johnson, Calif.
Bonior	English	Johnson, Colo.
Bowen	Erlenborn	Jones, N.C.
Brademas	Ertel	Jones, Okla.
Breaux	Evans, Colo.	Jones, Tenn.
Breckinridge	Evans, Del.	Jordan
Brinkley	Evans, Ga.	Kasten
Brodhead	Evans, Ind.	Kastenmeier
Brooks	Fascell	Kazen
Broomfield	Fenwick	Kelly
Brown, Calif.	Findley	Ketchum
Brown, Mich.	Fish	Keys
Brown, Ohio	Fisher	Kildee
Broyhill	Fithlian	Kindness
Buchanan	Flippo	Koch
Burgener	Flood	Kostmayer
Burke, Calif.	Flowers	Krebs
Burke, Mass.	Flynt	Krueger
Burleson, Tex.	Foley	LaFalce
Burlison, Mo.	Ford, Mich.	Lagomarsino
Burton, John	Ford, Tenn.	Latta
Burton, Phillip	Fountain	Le Fante
Butler	Fowler	Leach
Caputo	Fraser	Lederer
Carney	Frenzel	Leggett
Carter	Frey	Lehman
Cavanaugh	Fuqua	Lent
Cederberg	Gammage	Levitas
Chappell	Gaydos	Lloyd, Calif.
Chisholm	Gephardt	Lloyd, Tenn.
Clausen,	Gialmo	Long, Md.
Don H.	Gibbons	Lott

Lujan	Obey	Smith, Nebr.
Lundine	Ottinger	Snyder
McCloskey	Panetta	Solarz
McDade	Patterson	Spellman
McDonald	Pattison	Spence
McEwen	Pease	St Germain
McFall	Perkins	Staggers
McHugh	Pettis	Stangeland
McKinney	Poage	Stanton
Madigan	Pressler	Steed
Maguire	Preyer	Steers
Mahon	Pritchard	Stockman
Mann	Pursell	Stokes
Markey	Quayle	Studds
Marks	Quillen	Symms
Marlenee	Rahall	Taylor
Marriott	Rallsback	Thone
Martin	Rangel	Tonry
Mathis	Regula	Traxler
Mattox	Reuss	Treen
Mazzoli	Rhodes	Trible
Meeds	Richmond	Tsongas
Metcalfe	Rinaldo	Udall
Michel	Risenhoover	Vanik
Mikulski	Roberts	Vento
Mikva	Robinson	Volkmer
Miller, Calif.	Rodino	Waggonner
Miller, Ohio	Rogers	Walgren
Mineta	Roncalio	Walker
Minish	Rooney	Walsh
Mitchell, Md.	Rose	Wampler
Mitchell, N.Y.	Rosenthal	Watkins
Moakley	Rostenkowski	Waxman
Moffett	Roussetot	Weaver
Mollohan	Roybal	Weiss
Montgomery	Rudd	Whalen
Moore	Runnels	White
Moorhead,	Ruppe	Whitehurst
Calif.	Russo	Whitley
Moorhead, Pa.	Santini	Whitten
Moss	Satterfield	Wiggins
Mottl	Sawyer	Wilson, Bob
Murphy, Pa.	Scheuer	Wilson, C. H.
Murtha	Schroeder	Wilson, Tex.
Myers, Gary	Schulze	Wirth
Natcher	Sebelius	Wright
Neal	Sharp	Wylder
Nedzi	Shuster	Wylie
Nichols	Sikes	Yates
Nix	Simon	Yatron
Nolan	Sisk	Young, Fla.
Nowak	Skelton	Young, Mo.
Oakar	Slack	Young, Tex.
Oberstar	Smith, Iowa	Zablocki

NAYS—4

NOT VOTING—62

Akaka	Edgar	Meyner
Andrews, N.C.	Fary	Milford
Biaggi	Florio	Murphy, Ill.
Bonker	Forsythe	Murphy, N.Y.
Burke, Fla.	Goldwater	Myers, Michael
Byron	Heckler	Myers, Ind.
Carr	Hightower	O'Brien
Collins, Ill.	Holtzman	Patten
Conable	Hyde	Pepper
Conyers	Kemp	Pickle
Cornwell	Long, La.	Pike
Dellums	Luken	Price
Derrick	McClory	Quile
Devine	McCormack	Roe
Diggs	McKay	Ryan